



A KALENDER, OR
TABLE, COMPREHEN-
ding the effect of all the Statutes that haue
beene made and put in print, beginning with Magna
Charta, enacted Anno 9. H. 3. and proceeding one by one, vn-
till the end of the Session of Parliament holden Anno 7. R. IACOBI:
declaring by certaine Characters, which of the same Statutes or Braunches of
Statutes, be repealed, which be expired, which be altered in the whole, or part,
which be worne out of vse, which were ordained for particular persons,
or places, and which being generall, in force, and vse, are
inserted in the seuerall Titles of this
Abridgement.

Whereunto is annexed an Abridgement of all the Statutes,
whereof the whole or any part is generall, in force, and vse, with cer-
taine *Quæres*, Cautions, and Aduertisements of such things that be doubtfull;
together with the Authoritie and Duetie of Iustices, Sherifes, Coroners, Escheators,
Maiors, Bailiffs, Customers, Stewards of Leetes and Liberties, and what things
by seuerall Statutes in force they must, may, ought, or
are compellable to doe.

Editum per mandatum Domini Regis.

Collected by F A R D I N A N D O P V L T O N of
Lincolns ffnne esquire, and by him againe aug-
mented, sithence the Session of Parliament holden
Anno septimo Regis Iacobi.

L O N D O N
Printed for the Company of Stationers,
An. Dom. 1612.

Cum Prinilegio.

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TO THE CHRISTIAN

Reader, **FARDINANDO PVLTON**

of Lincolnes Inne, misbeth the knowledge

of the Lawes of God, and this Realme, and

the true use thereof.

When Almighty God had with
diuers miraculous Plagues punished the land of Exod 7. &c.
Egypt, for his people of Israels sake, carried
them through the red Sea, drowned therein
King *Pharaoh*; and his Host; sweetened their
bitter Waters for them to drinke; sent them
food from Heauen; and brought them by a
cloudie Pillar in the day, and a fierie Pillar in the night, vntill they
came to mount *Sinai*; He then gaue them diuers Commandments,
and made vnto them many Lawes and Statutes, concerning due ho-
nour to be done vnto him, touching their dutie to their Princes, Ma-
gistrates, and Leuites, to their Parents, Neighbours, and Strangers,
concerning the direction, order, and guiding of their wiues, children,
seruants, lands, goods, and other things necessarie for the vse of man.
And then most strictly charged them, that the same Command- Deut. 12.
ments should bee in their hearts, that they should shew them vnto
their Children, that they should talke of them when they were at
home in their houses, and as they walke by the way, when they lye
downe, and when they rise vp, that they should bind them for a signe
vpon their hands, that they should be Frontiers betwixt their eyes, Deut. 17.
that they should write them vpon the postes of their houses, and vpon
their gates: And moreover, when they came into the land of Pro-
mise, that they should set vp great stones in Mount *Eball*, plaster them

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with Plaster, and write vpon them all the words of those Lawes : Which Commandement *Ishua* the seruant of God, did after faithfully performe. Even so, when those godlie Princes *Cadwallader, Egbert, Etheldred, Alured, Adelflow, Edgar, Canutus, Edward*, and other renowned Kings of this Realme had by their deepe wisdomes, and valiant prowes, subdued their forein enemies, and vniited seuen feuerall Principalities, and Regall Estates into this one mightie and noble Kingdome, and had learned, and receiued such Customes, Maximes, and Lawes of the Britons, Romans, Saxons, and other Nations, as seemed agreeable to the Ordinances of Gods Church, correspondent to reason, and consonant to the inclination of their people, There was deuised a most high, stately, and honourable court, to rule and gouerne this Kingdome, and in Magnificence resembling the same, consisting in a sort of the three most auncient and notable formes of gouernment that euer were in the world, *viz. Monarchia, Aristocratia, and Democratia*; vnto which Court there are to assemble the King, the Lords Spirituall and Temporall, and certaine of the most discreet and meet men, chosen out of all Counties, Cities, and auncient Boroughes of this Realme, to handle, and haue conference together, touching the vrgent and great causes of the King, the State, and defence of the Church and Kingdome. According to which institution, the kings of this realme haue sithence that time not onely holden their high Courts of Parliament, and therein by the consent of their Lords, and Commons, haue enacted some Lawes and Statutes, touching the weightie affaires of the Church, and Realme, some to reforme imperfections in the Common Lawes, some to examine Iudgements giuen in inferiour Courts, and others to repeale, alter, or change former Customes, Lawes, or Statutes: But also they haue been vigilant that those Statutes which were newly ordained, should be in such sort published, spread abroad, and made knowne, that each person bound to obey them, might take knowledge of that, whereby he was to liue, to receiue benefite, or to sustaine losse (alwaies intending that those Lawes which the finger of God hath written in the heart of man, or Nature infused into him vpon his creation, or Reason instilled into his breast, or which the foresaid auncient Maximes, and Customes of the Realme, being the verie fountaine, life, and root of our Common Lawes, haue by tradition made plaine, and laid open vnto vs, are not to any English man, hauing the vse of *Sunderis* vnknowne.) And therefore they haue ordained, that their Iustices of Oyer and Determiner, their Iustices of Assise at their generall Assises, their Iustices of Peace at their Quarter Sessions,

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sions, the sherifes in their Turnes, the stewards of Leets and Liberties in their Courts, should openly expound what Lawes and Statutes haue been made for the punishment of seuerall offences, and also should inflict the penalties of them vpon the transgressors thereof, that the punishment of some might be a learning to others, to know the said Lawes, and a warning to them to eschew the daunger thereof. And further, they haue provided, that certaine speciall Statutes which be most popular, and into the perill whereof the ignorant people are most likely to slide, should be openly read in the foresaid Courts, that the hearers thereof should informe themselves, and also instruct their Neighbours at home of those Penall Lawes, and of the forfeitures thereof. And for that cause King *Edward* the first established by Parliament, That the Statute of *Magna Charta*, and *Charta Foreste*, should be openly read in Churches. King *Richard* the second enacted, That the Statute of Winchester should be proclaimed by euery Shirife in his proper person foure times in the yere in euery Hundred within his Countie, and by his Bailifes in euery Marker. King *Henrie* the eight ordained, That the Statute made for the maintenance of Artillerie, and debarring of vnlawfull Games, should be proclaimed euery quarter once, by all Maiors, Bailifes, Sherifes, and other Officers: And that Iustices of Gaole deliuerie, Iustices of Assise, and Iustices of peace, should cause the same to be proclaimed in the Sessions holden before them. So that in the place of Prayer, in the place of Iustice, and in the place of seeking our priuat commoditie, our Princes haue deuised to sound into our eares, and to imprint into our memorie, the effect of the foresaid Lawes, with the fruits that be promised to the obseruers, and the punishments which be threatned to the infringers thereof. And some whiles, finding time to worke forgetfulnesse, or their lenitie to encourage slacknesse in their Subiects of due obseruance of some speciall Statutes, with a fatherlie care, they do by Commission, Proclamation, or some other meanes gently put them in remembrance thereof, requesting, perswading, and as it were vpon their blessing charging them, to play the parts of good Children, and dutifully to obey those Ordinances, which were decreed by their owne, or their Auncestors consent. Besides this, they haue caused to be printed the foresaid Statutes, with their Preambles, declaring the speciall considerations of the making of a new, abrogating, altering, or reforming of an old Law. So that our Princes haue vsed those Lawes, which seemed to them to be correspondent to the Ordinances of God, consonant to reason, and agreeable to the present inclination of their Subiects: they haue end uoured to publish them

25. Ed. 1. 2.

7. R. 2. 6.

33. H. 8. 9.

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Further then writing in stone can doe; to the intent that ignorance of them might not excuse offenders, nor want of notice lead awrie such as are willing to liue in order. But because the Gouvernours of this State beeing from time to time, carefull to prouide such Lawes as they accompted most commodious for the Weale publique, haue beene inforced to tie manie, to continue diuers, to alter and reforme some, according to the disposition of the People, the fertilitie or barrenesse of the Land, the quietnesse of the Gouvernement, the Friendship of the Regions adioyning, and other accidents and circumstances, whereunto our humane Nature is subiect; by that necessarie meanes our Statute Lawes are growne to bee many, some much differing, and some meere contrarie, and repugnant to others. For sithence the time of King *Henrie* the third (in the ninth yeare of whose Raigne *Magna Charta*, the first Statute that wee haue in Print was made) there haue beene a great number of Statutes enacted, wherof some were ordained to bee in force for one Kings time, some for an other, some for one number of yeares, some for an other, some were repealed in part, and confirmed in part, some were repealed by generall, and some by speciall words (as by three Braunches of three speciall Statutes, there bee at the least one hundred and twentie other Statutes, and Braunches of Statutes repealed.) So that time hath wrought triall, much triall hath procured a number, a number provided at seuerall times, by seuerall persons, and to seuerall ends, hath brought in question, which of those Statutes bee in force, and which not: And thereby imprinteth feare to many willing minds to read, and discouragement to vnderstand, those Lawes, which otherwise they would in their knowledge imbrace, and in their deeds obey. And thereupon considering with my selfe how carefull our Gouvernours haue beene in all ages, to prouide good Lawes, how mindfull to publish them, and how desirous they should bee obserued; And againe, calling to remembrance how ioyfull euerie well aduised Subject is of good Lawes, how readie to learne them, and how obedient to execute them; And that the Princes and the Subiects doing their parts, Time onely the beginner, increaser, and subuerter of humane Policies, hath wrought some defects, and procured some doubts and difficulties in the Lawes: Therefore I haue vndertaken to comprehend in a Table, the effect of all the Statutes in Print, beginning with *Magna Charta*, and proceeding *seriatim*, vntill the end of the third Session of Parliament, holden in the fourth yeare of the Raigne of our Soueraigne Lord
King

1.H.4.3.
5.Ed.6.6.
5.Eliz.4.

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King James, and to declare by certaine Characters, which of the same Statutes, or Braunches of Statutes bee repealed, which bee expired, which bee altered in the whole, or part, which bee worne out of vse, which were ordained for particular persons, or places, and which be generall in force and vse, leauing some fewe doubtfull, to bee further considered of. Whereunto I haue in this volume annexed an Abridgement of all the Statuts, whereof I take the whole, or any part to be generall in force and vse. Which worke I haue endeououred to performe to two speciall purposes, the one, *videlicet*, the later, to the intent that you (good Reader) may with some facilitie find those Statutes and Braunches of statutes which be in force, and receiued as Law at this day, and discerne them from such other, which bee repealed, expired, altered, or worne out of vse: the other, *videlicet*, the former part, to the end you may perspicuously see, and as it were in a Glasse behold the Pietie, Vertue, Wisdome, and Politic of the chiefe Governours of this Kingdome from time to time in matters of greatest moment, almost by the space of foure hundred yeares. And yet seeing there haue bene in euerie age so many Demurres, Disputations, and Questions betweene the reuerend Iudges, and the learned Lawyers of this Realme, touching the beginning, continuance, or ending of some Statutes, concerning the Translation, Exposition, or meaning of some others, which doth argue, many imperfections to bee in our Statutes, or severall mens different and vnperfect conceits and opinions of them: Therefore I will intreat you (good Reader) not to expect an absolute and perfect worke to bee framed of such an vnperfect Subject, and especially by an vnperfect man. Wee must confesse it to be true which the great Orator *Marcus Tullius Cicero* writeth, That Hystorie is the witnesse of Time, the light of Truth, The Store-house of Memory, the Mistresse of life, and Messenger of Antiquitie: and in some sort, wee find it to bee true by our owne Chronicles. But yet wee haue no reason to make that reckoning, or to bestowe so much time in reading and perusing of our Hystories (doe they promise, or represent vnto vs the shew of neuer so much truth) as wee haue of our Statutes, eyther for the multitude or credit of the deuisors of them, or for the weight of the causes by them decided, or for the certaintie of the Lawes in them recorded. Our Hystories doe report vnto vs the birth of our Princes, their Mariages, their Children, their successes in times of Peace and Warre, their Conquests they woun, the Incounters they receiued, their Seditious and Tumults at home by Competitors or Rebels, their Treatises and Leagues

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Leagues abroad with forein Kings and States, their priuat vertues and imperfections, their deaths, and Successors, the Plentie and Scarcitie, the Plagues, Inundations, Earthquakes, and other rare Accidents, which fell and chaunced in their times. So that our Historiographers, haue intreated principally of the quiet or turbulent liues, & certaine deaths of our former Kings, chiefe Gouvernours, and principall Peeres, of their prosperities and aduersities, of the beginning, increase, and ruine of their houses, remembred vnto vs, where Fortune smiled, and where she frowned vpon them, their Seed, or People, being things whereunto all flesh and blood is subiect, and in a sort to be resembled in euery Familie: But our statute lawes haue mounted a loft and soared in a higher pitch: For by them hath bin set forth the glorie of God, and the maintenance of his holy & catholike Church: By them the Subiects of this Realme haue attributed to their Kings and Soueraigne Lords all due obedience, Honours, and Prerogatiues, and haue both in times of Peace and Warre taken order to support their Estates, and to assist them with their bodies, lands, and goods; By them the Kings haue giuen correspondent protection to their Subiects from forein enemies, and intestine oppressions: By them euerie Subiect enioyeth his owne, and one is defended from the sword & iniury of another: By them *Lex Talionis* is maintained with Strangers, and a reciprocall course of Traffique continued with other Nations: And by them our Sages haue endeauoured to vphold and advance Charitie, Prudence, Iustice, Fortitude, Temperance, Patience, Chastitie, and other vertues: and to repress or weaken Pride, Malice, Reuenge, Rapine, Extortion, Periurie, Forgerie, Drunkenness, Aduoutrie, Couetousnesse, and other Maladies in the Commonwealth. And whosoever will peruse our Chronicles from the ninth yeare of King *Henry* the third to this time, may easily perceiue, that the Barons warres, the Dissention between the houses of Yorke and Lancaster, the quarrell between King *Richard* the third, and King *Henry* the seventh, the battailes and skirmishes fought by our English people in Fraunce, Spaine, and Scotland, the violent, vntimely, and Tragical deaths of king *Edward* the second, king *Richard* the second, king *Henry* the sixt, king *Edward* the fift, and king *Richard* the third, and the manifold Tumults, Seditions, & Rebellions at home, were the cause of many doleful & lamentable Innouations, Calamities, & Miseries: & that all the families in this land, from the kings Palace to the poorest Cottage, did at one time or other tast the wo and smart thereof. But if he wil also read our statutes made sithence the said ninth yere of king *Henry* the third, and consider of the causes, purports, effects,

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fects, and sequels of them; hee may easily perceiue, that some of those haue wrought greater alterations within this Kingdome in causes of most weightie importance, and fixed a deeper and more durable impression into the hearts and estates of men, then all the laid warres, deaths, and tumults haue done. For neither did *Alexander* the Great with his mightie Armie, nor *Iulius Caesar* with all his forces win the victorie of so many bodies, as certaine of our Statute Lawes haue wrought immutation, and conquest of wils. Yea, if a large Paraphrasis might be made without offence of some of our Statutes, and of the true causes, peruiues and operations of them, many would be as ready to admire them for wonders, as to reuerence or obey them for Lawes. But he that will turne the leafe on the other side, and respect some other Statutes, and the successe and effect of them, shall find the case farre otherwise, yea meere repugnant, and cleere contrarie: for whereas in all the Parliaments that haue bene holden since the last Conquest, the whole Senate house haue bestowed at the least halfe their time and industrie, in hacking at part of the Branches, Boughes, Sprouts, Roots, or leaues of that monstrous, vglie, and hideous Tree, *Auaricia*, Time and Experience hath taught vs, *Quod operam & oleum perdiderunt*; for if some Bough or Braunch of hers hath bene shred or snibbed by one Law at one time, it hath againe more largely sprouted out, and doubled her *Hydra's* head in another forme and different shape, at another time. Our Law makers haue oft times made grievous complaint in open Parliament of several Branches or Buds of the same Tree, and amongst many other, specially of one; That shee hath bene the decay of Temples, the withdrawer of Gods Seruice, the ruine of Cities, the desolation of Townes, the nourishing of Idlenesse, the diminishing of People, the weakening of the Realme, and the impairing of Gods Church; and haue put in practise many kinds of redresse: But that Bough daily groweth, & increaseth more and more, and is openly nourished in haste to raise a Snow bal, which God hath giuen his word, shall quickly melt againe: for as she stingeth her root oft times like an adder, & sometime like a viper, so she galleth foreiners with sorowful and grieued hearts, and with wet & weeping eyes. And he that wil search our statutes one by one, from the first to the last, intended to the lopping or shredding of any Braunch or Bud of that cursed Tree, and thereby examine the liues and conuersations of men, may with both his eyes see, that though some of the offences leuelled at by those Lawes, be transfigured into other shapes; yet none of them be wholly reformed at this day, yea, scarce any thing amended, be the Law to the contrary neuer

4 H. 7. 19.
7. H. 8. 1.
27. H. 8. 12.
3. Ed. 6. 5.
3. Eliz. 1.
39. El. 1. 2.

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so strict, or the penaltie neuer so great. And the same creeping weed hath fixed her roots so deeply in the hearts of so many of each Sexe, Function, Vocation, and Degree, and such a multitude haue confessed themselves Bondmen to her in Court of Record, that I feare shee will liue and flourish, when her impugnesh shall bee dead, and lye buried in their graues. If the Question should bee asked me, what the reason is, Wherefore in matters meant to the honour of God, the gouernment of his Church, the title to the Crowne, the right of succession thereof, the Prerogatiues annexed thereunto, the solemne Othes taken for the corroboration of the same, and some other causes of great consequence, our Parliament Lawes could both attempt, and effect such and so many Innouations and Changes; and in things tending to *Prinatum commodum*, beeing more base of condition, can worke so smale alteration, and preuaile so little; and vpon what reason so many Statutes haue been made in euerie age for the repressing of the later, and so few in comparison thereof touching the first: I would answer thereunto touching the former, with King *Salomon*, who describing the nature and operation of time, saith *Omnia tempus habent, & suis spatijs transcunt. Vniuersa sub celo: Est tempus plantandi, & est tempus eradicandi.* And the same King deciphering man in his coate armour with his naturall colours, affirmeth: *Quod deus fecerit hominem rectum, & ipse se infinitis miscuerit questionibus.* That is to say: All things which man hath the managing of, in times haue their beginning, increase, perfection; and alteration, and so haue the manner and forme of Gouernments, and the Lawes made for the establishment of them. Man is continually in motion and action intangling his head with new questions; he doth rather applaude his owne proper conceit, then the censure of his Forefathers: for as his bodie is nothing but the slime of the earth, dust and ashes; his glorie and countenance but like smoake, froth, and the morning dew, so bee his deuises and resolutions wauering, mutable, ynconstant, and as letters written in yce; and therefore hee is aply tearmed, *Vanitas, & Vanitati similis.* And though reason be the cognisance, badge, and difference of man from other creatures, yet he doth too often attempt to wrest reason to his priuat opinion, and too seldome subiugate his opinion to reason. And moreouer, though the first be matters of weight, yet we behold them *à longè*, wee looke on them through our fingers, we conceiue they belong not to vs, or that others shall beare the brunt or burden of them, or that it will bee along time before we shall come to account for them: and so wee make smaller regard, and haue lesse respect

Ecc13.

Ecc17.

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spect vnto them. But if *Meum & tuum*, videlicet, any wrangle for
 priuare profite bee once set on foot, then wee presently buffle, wee
 ride, wee runne, wee crouch, wee kneele, wee vse the Cappe, the
 Basre, the Tongue, the Sword, or Baston, as they will auail vs:
 Then the young sonne enquireth of his old Fathers yeares, and send-
 deth out *Formidans* after his death, qui relleth with his Mothers Tor-
 ture, threatneth his Brethren with an Entail, and vpon question of
Assets, abridgeth his Sisters portions: Then are all the bonds of
 Neighbourhood, Amitie, Kindred, and Duetie broken; for *Ahab* 3.Reg.21.
 will rise out of his graue, and wrest a Vineyard from his neighbour
Naboth; *Dalila* will play false againe, and betray her lover *Sampson*,
 the Heards-men of *Abraham* and *Lot* will fall out, and themselves wil
 part companie; And in hope to get thirrie pence, *Judas* will sell and
 betray his Master. And though we all doe know, that this greedie
 desire of hauing, grasping, manner of getting, and insatiable thirst
 of possessing, betheroothe of all iniquitie, be the thornes that choak
 the come sowne in Gods owne field, and the barren Fig Tree, which
 Christ himselfe did curse: Yet seeing it is a Moath feeding within
 our Natures, a Rust that hath his essence from our bowels, and a
 Canker growen out of our owne corruption, wee goe discontent-
 ed and heauie away, and make as many delayes, shifts, and euasi-
 ons as wee can, when any of our Statute Lawes shall attempt to be-
 reauue vs of it, diminish, or wrest it from vs: Which affection of
 ours the makers of Lawes in euerie age perceiving, haue indurend
 to grapple with, and to the vttermost of their providence, to curbe
 it, by stopping of euerie starting hole, where Auarice might peepe
 out her head. And by that meanes those Statutes aboue others haue
 multiplied to so large a bulke, and are growen to that mightie num-
 ber. Wherefore, seeing our Statute Lawes are so many, and of so
 different natures, and doe leuell at so severall markes, and tend to
 such a multiplicite of ends, and that whether wee consent, or not,
 wee must either humbly submit our selues to the obedience, or pa-
 tiently endure the penalties of them, you shall doe well (good Rea-
 der) seriously to consider of them, and to the vttermost of your ca-
 pacitie to meditate vpon them, one by one: For by the knowledge
 and vse of them, you may direct your will, your life, and priuat ac-
 tions, your duetie and obedience to our King and Soueraigne Lord,
 your reuerence and submission to his Lawes and Magistrates, your
 mutuall societie and conuersation with your Neighbours of all de-
 grees, know and keep your owne from other mens, instruct the igno-
 rant, protect the oppressed, comfort the afflicted, assist the orphan,
 relieue

3.Reg.21.

Iudic.16.

Gen.13.

1.Tim.1.

Math.13.

Mark.11.

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relicue the fatherlesse, and be a mean to wipe the trickling teares from the widdowes eyes. And also by the reading of them, you may enrich your vnderstanding, and discern the disposition of the chiefe Governours of this Kingdome in euery age by it selfe, & by that meanes comprehend in your memorie, and record in your brest, an Hy storie or perfect description of the affection of our Forefathers that ruled the same; and perceiue which of them; and in what cases had that wise and vnderstanding heart that King *Salomon* craued of God, to direct him in gouernment; and how much, and in what manner they were inclined from one generation to another, to the seruice of God the maintenance of his Church, the aduancement of the honour, profit, or will of their king, the preseruacion of the peace, and wealth of their Countrey, the safetie and benefitt of the Subiects of euerie degree, the vpholding of each kind of Scirnce and Trade; and what sort of persons, and which vertues or things in their seuerall times they most esteemed, and indeuoured to aduance; and what persons, and which vices or facts they chiefly disliked, and laboured to repress. By which meanes euerie wight, calling to his counsell such helpes, which he hath receiued from God, Nature, and Reason, may in the secret closet of his heart, informe and satisfie himselfe, and his owne priuat Conscience, which age, and in what cases in making of their Lawes, did see open the gates to either of those beautifull and sweet countenanced Ladies, *Prudence*, *Iustice*, *Fortitude*, or *Temperance*; and bent their force to support their glorie, countenance, and credit: And whether any age in any case did suffer closely and covertly to creepe in at windowes, or slip in at chinkes, either of those mishapen and hard fauoured strumpets, Contempt of knowledge, wilfull Iniustice, cowardly Puslanimitie, or vnbridled and dissolute Libertie: and which age, and in what cases following the plaine and trodden path of Iustice, made good Lawes to reforme euill manners: and whether any age in any case sought by wayes to impeach good manners: and which Statutes were ordained and continued, and which were repealed, altered, or suffered to expire vpon the fonder rules of Christian Religion, Vertue, or Wisdome. And yet, he must foresee, that in no case he make publication of his said conceit, whatsoever it be; but leaue that to the censure of present authority in euerie age by it selfe, so to remaine in suspence; vntill that high and omnipotent Cenfor *Iesus Christ*, the Sonne of God, the King of Kings, and Lord of Lords, by whom Kings doe raigne, and Law-makers discern that is iust, shall meet man againe in the vale of Iosaphat, and argue the case with him
face

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face to face: for he at whose presence the pillars of heauen will tremble, and the foundation of the earth will quake, comming in the Maiestie of his glorie, with a two edged sword in his mouth, attended by all the hoast of Heauen, hauing a Trumpet of terror sounding before him, a deuouring fire in his face, and a consuming flame behind his backe, will summon another Parliament, appoint a new Tribunal, and sit vpon the Rainebow in iudgement himselfe; and laying open all bookes of Account, sifting the reines and hearts of men, and searching Hierusalem with a candle, will most strictly examine the same Statutes, and euerie Article, Braunch, and Prouiso thereof againe: and then in the presence of God, of Angels, and men, will pronounce a most iust and vpriht sentence & irrepealable Decree, of the validity of all Lawes, and of the intention of each Law maker, and assigne to them Iudgement in weight, and Iustice in measure; whole Iudgement no Writ of Error will reuerse, nor whole verdict any Attaint can vndoe.

Vale.



The effect and meaning of the Characters or Markes in this Kalender or Table comprised.

- EP. *This Statute or Braunch of Statute was repealed by 1. Ed. 6. 12. or 5. El. 4. Etc. &c. And therefore is not inserted in the Abridgements.*
- EP. *This Statute or Braunch being made to continue but for certaine yeares, or untill the next Parliament, or Session of Parliament, is expired: Or else the matter or thing for the which it was ordained, is at an end, and expired, as Subsidies, Pardons, &c. And therefore it is not inserted in the Abridgement.*
- AL. *This Statute or Braunch is altered in such a part, or point, viz. in the Purview, Exception, Penaltie, or &c. By 13. Eliz. 25. or 1. Iacob. 4. &c. And therefore is not inserted in the Abridgement.*
- CR. *This Statute or Braunch is Obsolete, viz. worne out of use. As the statute touching, Calice, Normandie, Abbeyes, &c. And therefore is not inserted in the abridgement.*
- HR. *This Statute or Braunch concerneth only some priuat person, place, or fact, and not the whole Common weale. And therefore is not inserted in the Abridgement: but the chiefe substance and effect thereof is expressed in the Kalender or Table.*
- AB. *This Statute or Braunch is either wholly, or in part, in force, and may be put in use and practise: and is inserted in the Abridgement, in such a Title, and such a Braunch, as, Draperie 6. Labourers 10. &c.*
- Q. *Inquire whether this be in force, or &c.*
- S. *See the Title of A. Braunch 1. &c.*



A Kalender, or Table comprehending the effect of all the Statutes that haue beene made and put in print, beginning with Magna Charta, ordained Anno 9. H. 3. and proceeding one by one vntill the end of the Session of Parliament holden Anno 7. Regis IACOBI, declaring by certaine Characters, which of the same Statutes or braunches of Statutes be repealed, which be expired, which be altered in the whole or part, which be worne out of vse, which were ordained for particular persons or places, and which being generall, in force and vse, are inserted in the feuerall titles of this Abridgement.

Magna Charta, otherwise called the great Charter made at Westminster 10. die Februarij, Anno 9. H. 3. & Anno Dom. 1224. and confirmed at Westminster, 28. die Martij, Anno 28. Ed. 1. & Anno Dom. 1299.

The King graunteth to God, and for him and his heires confirmeth, That the Church of England shall be free, and haue all her rights and liberties inuolable: And that all free men of this Realm shal haue all those liberties hereafter mentioned, to them and their heires for ever.

2 The Reliefe of the heire of an Earle, Baron, and Knight, holding land of the King. AB. Reliefe 1. Liberties of the Church.

3 At what age an heire being in ward shall haue his inheritance: and when it be a Knight. AB. Wards 3. Ward made Knight.

4 Gardeins shall make no waite in Wards lands. The penaltie of the Kings committie, or assigne of a Wards lands, which committeth waite. AB. Wards 10. 21. 22. No waite by gardein.

5 Gardeins shall maintaine the inheritance of their Wards: (AB. Wards Gardein. 10.) And of Archbishopsricks, Bishopsricks, Churches, and Dignities vacant, which pertaineth to the King. But such custodies shall not be sold.

6 Heires shalbe married without disparagement. AB. Wards 15. Disparagement.

7 A widow shall haue her marriage, inheritance, and quarentine: but shall not marie without her Lords assent. AB. Dower 1. Prerogative 4. widowes.

8 Sureties shall not be charged with the Kings debt, so long as the principal hath sufficient. And the sureties being charged, shal haue the debtors lands. AB. Accomptants &c. 51. Sureties to the King.

9 The Citie of London and all other Cities, Boroughes, Townes, and Ports, and the free Ports, shall haue all their liberties and free customes. RR. Liberties.

10 None shall be distrained to doe more service to a Knights fee, or his free hold, than is due. AB. Freehold 1. Service.

King Henrie the third.

Common pleas	11 Common pleas shall not follow the kings Court, but beholden in a place certain. AB. Courts 5.	28.Ed.1.4.
Juries.	12 Assises shall be taken but in their Counties, and difficult causes ended before the Justices of the Bench. AB. Assise 22.	13.Ed.1.32.
Darr. present.	13 Assises of Darrein presentment shall be taken, and determined before the Justices of the Bench. AB. Assise 12.	13.Ed.1.30.
Merchants.	14 How men of all sorts shall be amerced, and by whom. AB. Amerciaments 1.&c.	3.Ed.1.6.
Bridges.	15 16 By whom bridges and bankes shall be made. AB. Weares 1.	
Pleas of the Crowne.	17 So Sheriffe, Constable, Escheator, Coroner, or other Bailife, shall hold pleas of the Crowne. AB. Coroners 16.	
R. debt.	18 The kings debto; dying, the king shall first be paid his whole debt. AB. Accomptants &c. 5.	33.H.8.39.
Purueyance.	19 How purueyance shall be made to victuall a castle. AB. Purueyors 6.	3.Ed.1.7.
Castle ward.	20 How Castle ward shall be done. AB. Castles 1.	
Purueyors.	21 Purueyors shall not take any hoxes or carts, except they pay the price limited. So demesne cart of any spiritual person, knight, or other lord, shall be taken. And shall not be taken without the owners consent. AB. Purueyors 8.13	14.Ed.3.19.
Felons lands	22 The king shall have the lands of a felon convicted for a yeare and a day, and then deliver them to the lord of the fee. AB. Prerogative 16.	27.Ed.1.16
Weares.	23 Weares shall be put downe, saving onely by the sea coasts. AB. Weares 1.	25.Ed.3.4. 45.Ed.3.2.
Precipe.	24 So Precipe in Capite shall be graunted, whereby any shall loose his Court. AB. Courts 6.	
Measure.	25 One measure of wine and coyne shall be through the Realme. AB. Weights 1.	14.Ed.3.12. 27.Ed.3.10.
Inquisition of life.	26 Nothing shall be taken of him that prayeth Inquisition of life or member. AB. Amerciaments &c.	13.Ed.1.29.
Tenures.	27 Tenure of the king by fee farme, Socage, or Burgage, and of another by Knights service. Tenure of the king by petit Serantie. AB. Wards 18.	
wager of law	28 There shall be no wager of law without witnesses. AB. Wager 1.	
Justice.	29 So man shall be condemned but by lawfull triall. Justice shall not be sold, deferred, nor denied to any man. AB. Justice 1. Accusation 1.	2.Ed.3.2. 5.Ed.3.9.
Marchants.	30 Marchants shall have safe conducts, and how Marchants enemies shall be used. AB. Marchants 1.	9.Ed.3.1. 25.Ed.3.2.
Tenure.	31 Tenure of a Baronie come to the kings hands by Eschete, shall be as if it were in the hands of the Baron. AB. Tenure 1.	1.Ed.3.13. 1.Ed.6.4.
Service.	32 None shall give or sell more of his land, but that the residue may satisfy the lord of the fee his service due, which belongeth to that fee. AL Westm. 3.	18.Ed.1.
Vacation of Abbies.	33 Patrons of Abbies which have the advowsons of them, shall have the custodie of them in time of vacation. CB.	
Appeale by a woman.	34 A woman shall not sue an Appeale of the death of any, but of her husband. AB. Appeales 4.	
Sherifes Courts.	35 At what time the County Court, Sherifes Turne, and view of frankpledge shall be kept. AB. Turne 1. Countie 1.	31.Ed.3.15.
Mortmaine.	36 A gift of land to a house of religion shall be void. AB. Mortmaine 1.	7.Ed.1. 15.R.1.52
Esuage.	37 Esuage shall be taken as hath bene accustomed. All mens liberties and free customes shall be reserved. A fiftene given to the king for these liberties, and the liberties of the Forest. If the king or his heires shall doe any thing to infringe these liberties, the same shall be void.	

Charta Forestæ made at Westminster 10. die Februarij

Anno 9. H. 3. & Anno Domini 1224. and confirmed anno 28.

Ed. 1. & Anno Domini 1299.

¶ 1 Those groundes that King Henrie the second aforesaid, which were Disaforesaid. not his owne demesnes, whereby the owner of the wood hath hurt, shall be disaforesaid, saving the common to those which have right.

¶ 2 They that dwell out of the forest, are not bound to the summons thereof, Forreiners. unlesse they be impleaded, or sureties. AB. Forests 7.

¶ 3 Woods made forest by King Richard the first, or King Iohn, being not Disaforesaid. the Kings demesne wood, shall be disaforesaid.

¶ 4 No Purpresture, Wast, or Assent, shall be made in forests, without the Purpresture. Kings licence. AB. Woods 24.

¶ 5 Raungers shall make their raunge in the forest, as hath been accustomed. Raunge. AB. Forests 6.

¶ 6 There shall be lawing of dogs in forests, in places accustomed. AB. Forests 6. Lawing of dogs.

¶ 7 No Foster or Beadle shall make Scotall, or gather Garbe of Dates, Gatherings. Lambe, or Pigge, nor any gathering, but by the sight, and upon the oath of ry. Raungers, when they shall make their raunge.

¶ 8 At what times of the yeare Swanimotes shall be kept, and who shall re. Swanimotes paire unto them. AB. Forests 2.

¶ 9 A free man may take agistment and pavilage, and dyne his swine in the Forest. Agistment. AB. Woods 23.

1. H. 7. 7.

¶ 10 The punishment for killing of the Kings Dere. AB. Forests 1.

Killing of Dere.

¶ 11 A Nobleman may kill a Dere in the Kings forest. AB. Foresters 5.

Nobleman.

¶ 12 13 Who any free man may use his land within the forest. And what things breeding in his woods there, he may take. AB. Woods 24.

¶ 14 No Foster which is not Foster in fee, paying to the King ferme for his Bailiwoke, shall take any Chimage or Toll within his Bailiwoke. But a Foster in fee paying the Kings rent for his Bailiwoke, shall take Chimage, viz. for carriage by cart a halfe yeare y. d. and the other halfe yeare y. d. And for a horse that beareth burden, for halfe a yeare ob. and for the other halfe yeare ob. And but of those onely which come as Marchants through his Bailiwoke by his licence to buy bushes, timber, barke, or coale, and to sell it againe where they will. But for none other carriage by cart, Chimage or Toll shall be taken. And Chimage shall be taken but in such places as it hath bene used to be, and ought to be. They which carrie upon their backs wood, barke, or coale, to sell, though they live thereby, shall pay no Chimage to the Kings fofsters, but in his owne demesne woods.

Chimage.

¶ 15 A Pardon of all Outlawes of Trespasse within the forest, sithence the raigne of H. Henrie the second, so that they find suretie to offend no more. Pardon.

¶ 16 No Constable, Castellein, or Waylife, shall hold pleas of the forest, either of vert, or venison: But everie fofster of fee shall attach the pleas of the forest, as well of vert as of venison, and shall present them to the Clerke ors of those parts: and when they be inrolled and included under the Seales of the Clerke ors, they shall be presented to the chiefe Justices of the forest, when they shall come into those parts to hold the pleas of the forest, and determined before them. AB. Forests 2.

Pleas of the forest.

1. Ed. 3. 8.
7. R. 1. 4.

King Henrie the third.

The Statute of Ireland made at Westminster 9. die Febru-
ary, *An. 14. H. 3. & An. Dom. 1229.*

Coparceners ¶ 1 If lands holden of the king in chiefe, or of another Lord by Knights service, shall descend to Coparceners within age, then everie of them shall be in ward, and shall have part of the lands so holden. *AB. Partition 1. 17. Ed. 1. 6.*

Statutes made at Merton 23. die Januarij, Anno
20. H. 3. & Anno Dom. 1235.

Dower. ¶ 1 A widow shall recover her Dower, or Quarentine, and damages of those lands whereof her husband died seised. *AB. Dower 1. 9. H. 3. 7.*

Widow's crop. 2 Widowes may bequeath the crop of their dowers and other lands. *AB. Wils 20.*

Redisseisin. 3 Who may bring a Writ of Redisseisin, in what case it lyeth, and the punishment of the offender therein. *AB. Redisseisin 1. &c. 52. H. 3. 8. 13. Ed. 1. 16.*

Approuement 4 Lords of Manors, Meadows, and Pastures, may approue against their tenants. *AB. Approuements 1. 13. Ed. 1. 46. 3. Ed. 6. 3.*

Usurie. 5 Usurie shall not runne against any within age, from the time of the death of his ancestor. *BP. 37. H. 8. 9.*

wards. 6 The penalties for taking away, or marrying an heire under the age of fourtene yeares. A ward marrying without consent of her guardian. Disparagement of Wards. *AB. Wards 6. 15. 13. Ed. 1. 35. 3. Ed. 1. 12. 9. H. 3. 6.*

Value of marriage. 7 The recompence to be made by the ward, refusing to marie by his Lords assignement. *AB. Wards 7.*

Prescription. 8 Generall limitations of prescription in severall things. *AL. 32. H. 8. 2. 3. Ed. 1. 38.*

Ballardie. 9 He is not allowed to be legitimat that is borne before marriage. *AB. Ballardie 2.*

Attorney. 10 Attorneys allowed to make suit of Court. *AB. Attorney 1.*

Writ of reueuge. 11 The Lords demanded the imprisonment of those that made trespasses in their parkes and ponds, which the king denied. *BP.*

The Statute de Anno Bissextili, made at Westminster
An. 21. H. 3. & An. Dom. 1236.

Leape yeare. ¶ 1 The day of the Leape yeare, and the day next before, shall be holden for one day. *AB. Dayes &c. 7.*

Bread, Ale. ¶ 1 The Statute intituled Assisa panis & Ceruiciz, made An 51. H. 3. assiseth the prices of Bread & Ale, according to the prices of coyne. *AB. Weights &c. 15.*

Dayes in Banke. ¶ 1 The Statute made An 51. H. 3. & An Dom 1266. concerning generall dayes in Banke in reall actions. *AB. Dayes &c. 3.*

Dayes &c. ¶ 1 The Statute made An 51. H. 3. & An Dom 1266. of general dayes in a Writ of Dower. *AB. Dayes &c. 4.*

Statut. de Districione Scaccarij, made Anno 51. H. 3.
& Anno Domini 1266.

Distresse. ¶ 1 How a Distresse taken for the kings debt shall be used: within what time it shall be sold, by what meanes it may be redeemed, and what kind of Distresse it shall be. *AB. Accomptants &c. 52. Distresse 8. 10. 11. 12. 28. Ed. 1. 12.*

Statut.

King Henrie the third.

3

Statut.de Scaccario, made Anno 51.H.3. &

Anno Domini 1266.

¶ 1 The kings Fermers, Sherifes, and Bailifes, shall make their accounts and payments in the Exchequer, the morrow after S. Michael, and the morrow after the clause of Pasche. And so shall the Justices of Chester, & their Bailifes. The Sherifes shall kepe the kings Wards and Escheates. Collectors of customes, and Gardenes of the kings Wardrobe, shall account personally. The Sherif of Camberland shall execute the office of Escheator in Westmerland and Lancaster. The Sherif of Nottingham in Rutland. The Sherif of Gloucester in Wiltshire. And the Sherif of Devonshire in Cornwall. Questions touching the kings debts, shall be heard before other mens suits. Officers in the Exchequer shal be of credit and sufficiencie. Three Surueyors shalbe appointed of the kings Wards and Escheats, and their duties. Collectors of the customes of Wools account and payment. The Estrays of Fines and Amerciements shall be deliuered into the Exchequer. Quere how much thereof is in use.

¶ 1 A Statute of the Pillorie & Lumbrell, and of the assise of Bread and Pillozie Ale, made An 51.H.3. & An Domi 1266. AB. Weights &c. 15.

Statutes made at Marleborough 18.die Nouembris,

Anno 52.H.3. & Anno Dom. 1267.

- 1.&1.P.& M.1.2. ¶ 1. 2. 3. 4. Which distresses be lawfully taken, and so; what causes, and which not, and how distresses are to be used. AB. Distresses 1. 3. 4. Distresse.
- 34.H.3.5. ¶ 5 A Confirmation of the great Charter, and the Charter of the Forest. 6 A fraudulent conveyance to defeat a Lord of his Wardship, shalbe void. AB. Wards 1.2. From.
- 12.Ed.1.26. 20.H.3.3. ¶ 7 Prozesse against the Deforcior, which doth not appeare in a Communi custodia. Ward by reason of Ward. AB. Wards 2. wards.
- 12.Ed.1.26. 20.H.3.3. ¶ 8 The punishment of those which commit Redivellin. AB. Redivellin. Redivellin.
- 3.Ed.1.8. 1.Ed.3.8. 32.H.3.1. ¶ 9 In what cases tenants shalbe bound to do suit to their Lords court. And in what maner Coparceners shall do their suit. AB. Suit of Court 1.3. Suit of court
- ¶ 10 Certaine persons shall be exempt from apparance at Sherifes Turnes. AB. Turnes 2. Turnes.
- ¶ 11 Neither in the Cite of the Justices, nor in the Countie, Hundred, nor in Court Baron, any fines shall be taken for Beaupleader. Ex.
- ¶ 12 Dayes given in Dowter, Assise of Darrein presentment, & Quare impedit. AB. Dayes 4. Quare impedit 1. Dayes.
- ¶ 13 After issue ioyned there shall be but one Cessoine, or one default. AB. Cessoine. Cessoine.
- ¶ 14 They which haue Charters of Exemption must yet in some cases be sworn. AB. Jurors 2. Exemption.
- 3.Ed.1.16. ¶ 15 In what places distresses shall not be taken. AB. Distresses 3. Distresse.
- 17.Ed.1.3. ¶ 16 A remedie to; the heyre, if his Lord doth kepe, or put him forth of his inheritance. AB. Wards 9. The King shall haue Primer seisin after the death of his tenant, of lands holden of him in chiefe. AB. Prerogative 3. Primer seisin

King Edward the first

- S. in Socage** 17 The authoritie and due tie of Gardians in Socage. AB. Wards 11.
- Amerciament** 18 Which officers have authoritie to amerce for default of common summons, and which not. AB. Amerciaments &c. 4.
- Essoine.** 19 In which Courts none shall need to sweare to warrant their essoines. AB. Essoines 1.
- Falſe indgement.** 20 None but the king shall hold plea of falſe indgement. AB. Falſe judgement 1.
- Repleuin.** 21 Who shall make Repleuin of Distresses that be taken and withhelden. AB. Repleuin 1.
- Freehold.** 22 None shall compell his freeholder to answer for his freehold, or to be deposed. AB. Freehold 1. 15.R.2.12. 16.R.2.2.
- Accomptants waſt.** 23 A remedie against accomptants which withhold themselves. AB. Accompt 1. 6.Ed.1.5.
- Townes amerced.** 24 Justices in Eyre shall not amerce Towneships in their circuits, for that all of twelve yeares of age came not before the Sherife and Coroner to make enquire of Robberies, burning of houses, or to doe other things pertaining to the Crowne, so that there came sufficient out of those Townes, by whom such Inquisitions may sufficiently be made, except it be an Inquisition to be made of the death of a man, whereat all of twelve yeares of age ought to appeare, unless they haue a reasonable cause of their absence. AB. Coroners 17.
- Murder.** 25 What kind of Manslaughter shall be adiudged Murder. AB. Murder 6.
- Voucher.** 26 What day shall be giuen to him that is vouched to Warrantie. AB. Voucher 7.
- Clerke baile** 27 If a Clerke for any offence touching the Crowne be arrested, and after let to baile, and they to whom hee was committed to baile bring him before the Justices, the sureties shall not be amerced, although he cannot, or will not answer in respect of his Clerkes privilege. AL. 28. H. 8. 1. 32. H. 8. 3.
- Brelats.** 28 Remedies for the successors of Brelats, for wrongs done in the times of their predecessors, or in the vacation. AB. Ecclesiasticall &c. 45.
- Entrie in the Poſt.** 29 In what case a writ of Entrie for disseisin in the Poſt doth lye. AB. Entrie 2.

The Statute of Westminster the first, made at Westminster 25 die Aprilis, Anno 3. Edwardi 1. & Anno Dom. 1275.

- Religious houses.** 1 The peace of holie Church and the Realme shall be maintained. Religious houses shall not be charged with resort, nor their goods taken without consent of their Gouernors. BP.
- Clergie.** 2 A Clerke convicted of felonie, and delinered to the D;binarie, shall not depart without due purgation. AL. 18. Eliz. 6.
- Escape.** 3 The penaltie for leuying money for the escape of a felon before it be adiudged. AB. Escape 2.
- Wrecke.** 4 What shall be adiudged a Wrecke of the Sea, and what not. AB. Wrecke 1.
- Election.** 5 There shall be no disturbance of free Elections. AB. Corporations 29. 6 Ed. 1.

- 9.H.3.14. 6 All Amerciaments shall be reasonable, and according to the offence. AB. Amerciament
Amerciament 1.
- 9.H.3.19. 7 In what manner, and of whom Purueyance shall be made for a Castle. Purueyance.
AB. Purueyors 6.
- 52.H.3.11. 8 Nothing shall be taken for Beaupleader. BP. 1. Ed. 3. 8. Beaupleader
9 All men, upon commandement, shall be ready to pursue and apprehend felons.
felons: and the penaltie of those which doe not. AB. Felonie 1.
- 1.H.8.7. 10 What sort of men shall be Cozners. The Sherife shall haue Coun. Cozners.
28. Ed. 6. ter-rolls with them. They shall take nothing to execute their office. AB. Coro-
ners 1. 15. 16.
- 11 Replevie of men by the tuit of Odio & Atia. An Enquest to trie him Trial of
which is indured of murder, shall be of lawfull men tried by the oathes of 12. murder.
men (of whom two at the least shall be knights) of no affinity with the priso-
ner, nor other wise suspected. CB.
- 12 The punishment of notorious felons refusing lawfull triall. AB. Fe- Felons.
lonie 3.
- 13 He that doth ravish or take away by force any woman against her will, Rape.
shall be two yeares imprisoned, and make fine at the kings pleasure. AL. 13. E.
1. 34.
- 14 How an Appoele shall be attached and prosecuted against the principall, Appoeles.
and how against the accessorie. AB. Appoeles 3.
- 15 Which prisoners bee mainpernable, and which not. AB. Mainprife Mainprife.
1. 2. 3.
- 52.H.3.4. 16 None shall distraine out of his tith, nor dyne the distresse out of the same Distresse.
1. & 2. P. & Countie. AB. Distresse 1. 3.
M. 12.
- 32.H.3.4. 17 Theremedie if a distresse be impounded in a Castle or Forstresse. AB. Distresse.
Distresse 4.
- 18 Knights and other honest men of the Countie shall assesse common fines Commō fines
and amerciaments forfeited by the whole Countie before Justices in Cire by
on all such as ought to pay: and the Justices shall cause the parcels to bee put
in the Excheatrs, which shall be deliuered into the Exchequer, and not the whole
summe. CB.
- 19 A Sherife hauing receiued the kings debt, shall discharge the debtors. AB. Kings debts.
Accounts &c. 52.
- 1.H.7.7. 20 The punishment of those which commit trespasses in parks and ponds. Parkes.
AB. Forests 3. Taking of tame beasts by manner of robberte, is felonie. AB.
Tame beasts 2.
- 9.H.3.4. 21 Gardeines shall make no Waste in the lands of their Wards. AB. Waste.
6. Ed. 1. 5. Wards 10.
- 20.H.3.6. 22 The senerall penalties if an heire of full age or within age doe mar- wards.
rie without his Gardeines consent. At what age an heire female shall bee
out of ward: And the penaltie if she refuse a mariage tendered. AB. Wards
6. 7. 12. 13.
- 23 In a Citie, Borough, Colone, Market, or Fayre, no forreiner Debt.
shall be distrayned for a debt that he doth not owe, or is not suretie for. AB.
Debt 1.
- 24 A fine maintainable against any of the kings officers, who shall disseise a fine.
nother of his freehold. AB. A fine 4.
33. Ed. 1. 25 None shall commit Champertie, to haue part of the thing in question. Champertie.
AB. Maintenance 5.
- 26 No officer of the kings shall take any thing to doe his office, but of the Extortion.
king. AB. Extortion 1.

King Edward the first.

- Extortion.** 27 No Justice, Escheator, or Commissioner in Cities clerke, shall take any thing, but the accustomed fees, upon paine to lose thrice so much, and his masters service for one yeare. CB.
- Maintenance.** 28 The penaltie if any Clerke of the kings, any Justices, or Sherifes, doe maintaine any suit. AB. Maintenance 2.
- Pleaders.** 29 The penaltie if a Sericant or Pleader doe commit any deceit. AB. Deceit 1. D; if any Officer of any Justice doe commit extortion. AB. Extortion 2.
- Toll.** 30 The penaltie for taking of excessive toll in a Citie or Market Towne. AB. Toll 1.
- Durage.** 30 Durage granted to Cities or Towns, to inclose their Townes, besides other wise than it was granted, shall be void. BP.
- Purveyors.** 31 The penaltie of Purveyors, not paying for that they take: or for receiving rewards to pay the kings debts: or for taking more horses or carts than is needfull: or for discharging men for rewards. AE. Purveyors 7. 13. 30.R.2.5. 38.H.6.2.
- Barrettoys.** 32 No Sherife shall suffer Barrettoys or maintainers of quarrels in their Counties: nor any Noblemans Steward to do suit or give judgement there (unless he be Attorney for his Lord) if he be not specially required of all the suitors, or Attorney for them.
- News.** 33 None shall tell newes or tales, whereby discorde may arise betweene the king and his people, or the Nobles. AB. Newes 1. 30.R.2.5. 32.R.2.1.
- Arrests.** 34 The penalty for arresting within a libertie those which hold not of them. AB. Arrests 2.
- Aid.** 35 How much shall be taken for aid to make the sonne knight, or to marie the daughter. AB. Aid 1. 35.Ed.3.11.
- Disseisin.** 36 The penaltie of a man attainted in a Mise of disseisin with robbery of goods in the time of king Ed. the first. BP.
- Attaint.** 37 Attaint shall be granted in plea of land touching frehold. AB. Attaint 12. 34.Ed.3.7.
- Prescription.** 38 Severall limitations of prescription in severall writs. AL. 32. H.8.2. 30.H.3.8.
- Voucher.** 39 Voucher to warrantie, and Counterpleader of Voucher. AE. Voucher 2. 3. 4. 30.Ed.1.
- Writ of Right** 40 The Champion of the demandant in a writ of Right shall not be compelled to sweare, that he or his father did see the seisin of his Lord, or his ancestors: and that his father commanded him to deraigne the Right. CB.
- Essoine.** 41 In a Mise, Attaint, or Iuris vtrum, the tenant after appearance shall not be essoined. AB. Essoines 3. 33.Ed.1.12.
- Fourcher.** 42 There shall be no more Fourcher by essoine. AB. Essoine 2. 6.Ed.1.10.
- Essoine.** 43 In what case essoine ultra mare shall not be allowed. Essoine 5.
- Process.** 44 In all writs after Attachment and default, the great distress shall be awarded. The kings Justices shall deliver the issues forfeited into the Wardrobe: The 3. of the Common place into the Exchequer, and the 3. in Cire to the Sherife of the Countie where they plead, or of another Countie. Q. for the vice.
- R. Bench.** 45 Justices of the R. Bench shall decide all pleas determinable one day, before any plea be commenced the day following. CB.
- Donage.** 46 Donage of the heire of the disseisor, or disseisee, shall not prejudice in an Assise. Where Attaint shall be maintainable by an heire within age. AB. Age 1.
- ward.** 47 The remedie where the gardein maketh a trespassment of his Wards land. Suit by Prochein amy. AB. Wards 8.
- Dower.** 48 What shall be the tenants onely plea in a writ of dower unde nihil habet. AB. Dower 7. At what time Assises of Mortdauncester, Nouel disseisin, and Darrein presentment shall be taken. AB. Assise 12.

Anno

Extenta Manerij, Anno 4. Ed. 1. &

Anno Dom. 1276.

¶ 1 A Statute touching the extent of a Manor, expressing a survey of the Survey of a
buildings, gardens, curtilages, dove-houses, demefne lands, commons, parks, woods, palnage, herbage, rivers, mores, heaths, wafts, mills, fish-ponds, tithes, holds, customarie tenants, cottages, perquisites of Courts, patronages of Churches, heriots, fairs, markets, elcheats, customes, services, fines, reliefs, & other casualties of a Manor, and what everie of them is worth by the yere.

¶ 1 A Statute touching the office of a Coroner, made An. 3. 02 4. Ed. 1. & Coroners.
An. Dom. 1267. AB. Coroners 2. &c.

The Statute of Bigamie made Anno 4. Ed. 1.

& Anno Dom. 1276.

¶ 1 2 In what cases aid shall be graunted of the king, and in what not. Vide.
AB. Aid &c. 1.

3 In what the kings grantee of a ward shall not have aid. AB. Aid 2. Vide.

4 Purprestures or usurpations upon the kings land shall be refused. AB. Intrusion.
Prerogative 13.

5 Bigamus shall not be allowed his clergy. EP. 1. Ed. 6. 12. Bigamus.

6 Where by a feoffment made of land, and by what words therein, the feoffor shall be bound to warrantie, and where not. AB. Warrantie 1. Warrantie.

Statutes made at Gloucester 4. Octobris, Anno

6. Ed. 1. & Anno Dom. 1278.

¶ 1 The alienor of a disseisor shall be charged with damages. In what actions damages shall be recovered. Where damages shall be recovered, there also shall costs. AB. Damages 11. 12. 13. 14. Damages.

2 Where nonage in a suit commenced by an infant for land, shall not stay nonage. an enquest. AB. Age 2.

3 A man alieneth the land which he holdeth by the Courtessie of England with warrantie. AB. Warrantie 2. warrantie.

4 In what case a Cessavit is maintainable against a tenant in fee farme. AB. Cessavit. Cessavit 1.

5 An action of Waste shall be maintainable against tenant by the Courtessie, for life, yeares, or garden, &c. AB. Waste 2. Wards 10. Waste.

6 Where divers heires shall have one A life of Mortdauncester. AB. Mortdauncester. Mortdauncester.

7 A remede for him in reversion, where a woman doth alien her dower. In case promise. AB. Women 1. promise.

8 None shall have an action of Trespasse before the B. Justices, except he swear that the goods taken away were worth 12s. at the least: and if it be of batterie, that his pleint is true. CB. The defendants may make Attorneys in returne. such suits where appeals lyeth not. AB. Attorneys 6. The penaltie if the defendant being essoined both not bying in his warrant. AB. Essoine 7. Trespas 14. Essoine.

9 Pardon may be granted where one killeth another in his owne defence, or by misfortune. AB. Pardon 1. The forme of an Appeale of murder. AB. Appeale 2. Pardon.

10 The husband and wife being impleaded, shall not fourch by Essoine. AB. Fourcher. Essoine 2. Fourcher.

11 A fained recoverie against him in the reversion to make the termor to fained recoverie. loose his terme, shall be void. AB. Recoveries 8. recoverie.

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- Voucher.** 12 One impleaded in London boucheth a foraine to warrantie. AB. Voucher 6.
- Wast.** 13 No wast o; Estrepiement shall be made depending any suit. AB. Wast 2.
- Damages in London.** 14 A citizen of London being disseised, shall recover damages by the same Assise, whereby he recovered his freehold: and the disseisors shall be amerced before two Barons of the Exchequer, that once in the yeare shall come for that purpose into the citie, which shall be leuied by the Treasurer and Barons of the Exchequer. C.
- Assise of wine.** 15 The Justices and Bailifes of London shall enquire of wines sold contrary to the assise, and present the offenders before the same Barons. C.
- ¶ 1 An exposition of the said Stat. of Gloucester made also the same An. 6. Ed. 1. viz. of the 1. 2. 3. 4. 5. and 7. chapters thereof. The same statute shall be expounded to redresse the enormities in those chapters mentioned, which should be committed after the said Statute published. S. cap. 1. & Quere.
- No Armour.** ¶ 1 An. 7. Ed. 1. viz. 30. die Octobris, An. Dom. 1279. It was ordained, 2. Ed. 3. 3. 7. R. 2. 13. 20. R. 2. 1. That to all Parliaments, Treatises, and other assemblies, euery man shall come peaceably without any force o; armour.
- Mortmaine.** ¶ 1 An. 7. Ed. 1. viz. 14. die Nouembris, An. Dom. 1279. A Statute was made, limiting who shall take the forseiture of lands given in Mortmaine. AB. 15. R. 2. 5. Mortmaine 1. 2.
- Voucher forreines.** ¶ 1 A Statute made An. 9. Ed. 1. viz. 2. die Maij, An. Dom. 1281. A correction of the 12. Chapter of the Statute of Gloucester, touching calling forreines to warrantie in London. AB. Voucher 6.

A new Statute of the Exchequer, called the Statute of Rutland, made anno 10. Ed. 1. viz. 14. die Maij, An. Dom. 1282.

- Kings debts.** ¶ 1 There shall be certaine persons assigned which shall be sent into euery Countie to inquire of such debts as be owing to the King by Sherifes o; their heires, and others. The bodies of Shires shall be written in an annuall Roll in the Exchequer, and yearly read to the Sherifes upon their accounts, wherein shall be written the termes of Sherifes, and other termes, and all debts determined, and grosse debts, whereof there is hope of payment, and whereof the Sherife is answerable. And of dead termes, and debts desperat a Roll shall be made. An order for them which haue Tails of the Exchequer for the debts of themselves o; their ancestors, to be deliuered to the Sherife, and then to be allowed in the Exchequer. No plea shall be holden o; pleaded in the Exchequer, vnlesse it concerne the King o; his Officers there. Q. for the vse.
- Statute Marchant.** ¶ 1 The Statute of Acton Burnell, made An. 13. Ed. 1. & Anno Dom. 13. Ed. 1. 1285. ordaining the Statute Marchant for recoverie of debts. AB. Statutes &c. 1.

The Statute of Westminst. 2. made Anno

13. Ed. 1. & Anno Dom. 1285.

- Gifts in taile.** ¶ 1 In gifts in taile the donors Will shall be obserued. AB. Taile 1. The forme of a Formedon in discender. A fine leuied by tenant in taile shall be void. AL. 3. 2. H. 8. 36.
- Recordare.** 2 A Recordare graunted to remone a plaint forth of the Countie Court.
- Second deliuerance.** Pledges to prosecute the suit, and to make returne. A Second deliuerance awarded. AB. Repleuin 2. 3. Second deliuerance 1.

A Cui

- 3 A Cui in vita for the wife, where her deceased husband lost her land by default. AB. Women 5. Upon an action brought the wife shall be received upon her husbands default, and so shall be in the reversion upon the particular tenants default. AB. Resciet 1. 2. Cui in vita. Resciet.
- 4 A woman shall be endowable of lands recovered against her husband by collusion, or default. And the heire may avoid a dower recovered by collusion. AB. Dower 8. 9. A remedie for particular tenants which lose their land by default. AB. Quod ei deforceat 1. Dower. Et ei deforce.
- 5 Remedies to redresse usurpations of Adulsons of Churches. AB. Adulsons 1. &c. Adulson.
- 6 The penaltie, if a tenant impleaded of land bouchath, and the bouché denieth the warrantie. AB. Voucher 1. Voucher.
- 7 Admeasurment of dower for the garden, and the heire: And the piores therein. AB. Admeasurment 1. Admeasurment of dower.
- 8 In what case the writ of Secunda superoneratio pasturæ, shall be awarded by the Justices, and in what out of the Chaucerrie. AB. Admeasurement 2. Second surcharge.
- 9 In what case the writ of Mesne is to be pursued. AB. Mesne 1. Mesne.
- 10 At what times writs shall be deliuered for such suits as depend in triall before the Justices in Cire. CB. Any person may make a generall Attorney. AB. Attorney 2. Attorney.
- 11 The piores remedie against their Seruants, Bailifes, and Receiuerers accountable. AB. Account 2. Escape 1. Account.
- 12 The Appeal being acquitted, the Appealant and Abettors shall be punished. AB. Appales 5. There shall be no Essoine for the Appealant. AB. Essoine 8. Appeales.
- 13 The order of Indictments taken in Sherifes Turnes, and the penaltie for the infringing thereof. AB. Sherife 1 2. Sherifes.
- 14 The piores in an action of Wast: And a writ to inquire of wast. AB. Wast 3. Wast.
- 15 An infant elaigned may sue by Prochein amy. AB. Age 3. Infant.
- 16 The piores of freotement giueth title of Wardship. AB. Ward 1 4. Wardship.
- 17 In what case Essoine de malo lecti doth lye, and where not. AB. Essoine 6. Essoins.
- 18 He that recouereth in debt, may sue execution by Fieri facias, or Elegit. AB. Execution 1. Execution.
- 19 The Ordinarie chargeable to pay debts, as executors. AB. Ordinarie 1. Ordinarie.
- 20 The tenants answer in writs of Cousenage, Aile, and Befalle. AB. Cousenage 1. &c. Cousenage.
- 21 Cessauit by the chiefe Lord against his freehold tenant. AB. Cessauit 2. Cessauit.
- 22 In what case an action of Wast may be brought by one tenant in common against another. AB. Wast 5. Wast.
- 23 Executors shall haue a writ of Account. AB. Executors 1. Executors.
- 24 A writ of Pufance of a house, wall, or market leuied, and aliened to another. AB. Nufance 1. By what writ a Parson of a Church or his successor may recouer his common. And where the Iuris Verum is triable. AB. Quod permittat 1. In the like cases the like writs be grantable. Pufance.
- 25 Of what thing an Assise of Nouel disseisin will lye, and against whom it is maintainable. A disseisor by pleading a false plea. Certificat of Assise. Attachment in Assise. AB. Assise 1. 2. 10. 11. Assise. Certificat.
- 26 Who shall bring a writ of Redisseisin. And the punishment of the offender. Redisseisin.

10. Ed. 1.

52. H. 3. 23.

1. Ed. 3. 17.

1. Ed. 4. 2.

6. Ed. 1. 5.

6. Ed. 1. 4.

20. H. 3. 7.

52. H. 3. 8.

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- offendoys therein. AB. Rediffcilin 1.3.
- Essoine.** 27 **Essoine** after Enquest: But none after day ginen Prece partium. AB. Essoine 4.
- Essoine.** 28 After apparance in certaine actions there shall be no **Essoine**. AB. Ec. 3. Ed. 1. 41.
- soine 3.
- 29 The writ of Trespas ad audiendū et terminandū shall not be granted but to the Justices of either Bench, or to the Justices in Cire. And a writ to determine Appeales, shall be granted but in speciall cases. And least the parties appealed or indicted be long kept in prison, they shall have a writ of O- 9. H. 3. 16.
- Odio & Mta.** dio & Acta. CB.
- 3. of Nisi prius.** 30 The authozitie of Justices of Nisi prius. Assises of Darreine present- 9. H. 3. 13.
- ment, and Quare Impedit shall be determined in their proper Counties. AB.
- Juries.** Nisi prius 1. A Jurie may give their verdict at large. None shall be put in As- 32.
- Exception.** 31 An exception to a plea sealed by the Justices. AB. Exception 1.
- Mortmaine.** 32 Mortmaine by reconerie of land by default. AB. Mortmaine 5.
- Crosses.** 33 Lands where crosses be set by tenants in prejudice of their Lords, shall be forfeited, as lands aliened in Mortmaine. CB.
- Rape.** 34 The penaltie, if a man doe ravish a woman, whether she doth consent or 6. R. 2. 6.
- Elowement.** not. AB. Rape 1. And the forfeiture if a woman doe slope with an aduouterer. 3. Ed. 1. 13.
- A Rume.** AB. Dower 2. He that carrieth away a Rume from her house, although she consent, shall be three yeares imprisoned, make satisfaction to the house, and fine to the king at his pleasure. CB.
- wards.** 35 Ravishment of Ward: Communi Custodia: Eiectione Custodix. AB. 10. H. 3. 6.
- Wards 5.
- Distresse.** 36 A distresse taken vpon a suit commenced by the procurement of others. AB. Repleuin 4.
- Distresse.** 37 No distresse shall be taken but by Baylives knowne and swozne. AB. Distresse 9.
- Jurors.** 38 How many shall be returned in Juries, or petit Assises, and of what age they shall be. AB. Isors 2.
- Execution of writs.** 39 The manner to deliver writs to the Sherife to be executed. The Sherife returneth a libertie where none is. A Wcept delivered to the Bailife of a libertie. Returning of Assises. Resistance of execution of Woces. AB. Returne &c. 1. 2. 3. 4. 5.
- women.** 40 There shall be no delay of a womans suit by the minority of the heire, which ought to warrant the land. AB. Women 16.
- Cessavit.** 41 A Contra formam collationis to recouer lands aliened, which were given in almes. And a Cessavit to recouer lands ginen in almes which be with- 6. Ed. 1. 4.
- drawne. AB. Cessavit 3.
- fees.** 42 The severall fees of the Kings Marshals, Chamberlaines, Porters of the Justices in Cire, and Sericants bearing a verge before the Justices at Westminster, having these offices in fix. CB.
- Hospitallers & Templers.** 43 Hospitallers and Templers prohibited, that they draw no man into suit before the Conservers of their privileges, so; any matter, the cognisance whereof belongeth to the kings Court. CB.
- fees.** 44 The fees of Porters bearing Clerges before the Justices. And of Chy- 1. H. 4. 2.
- rographers so; making of a Chyrographe. AB. Chyrographe &c. 1. And of Clerkes writing originall and iudiciall writs, viz. 1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100.
- Execution.** 45 The Proces of execution of things reco;ded within the yeare, or after the yeare. AB. Execution 2.
- Appoymentis** 46 Lords may appoyne against their neighbours, leaving them sufficient 20. H. 3. 4.
- common 3. Ed. 6. 3.

common, and passage. AB. Approuements 2. 3. 4. 6. Usurpation of common du- Common.
ring the estate of particular tenants. AB. Common 1.

13. R. 2. 19. 47. A penaltie for taking of Salmones at certaine times of the year. AB. Salmones.
25. H. 8. 7. Fish 1.

48. In what cases view of lands is grantable, in what not. AB. View 1. View.

33. Ed. 1. 49. The penaltie of buying of a Title of land depending in suit. AB. Main- Champertie.
tenance 3. An action shall be maintained vpon the case, where remedie by the Tortion on the
law faileth. case.

The Statute of Winchester made at Westminster

8. die Octobris An. 13. Ed. 1. & An. Dom. 1285.

3. Ed. 1. ¶ 1. Fresh suit shall be made after felons & robbers from towne to towne, fresh suit,
and from countrey to countrey. AB. Huy & Crie 1.

28. Ed. 3. 11. 2. Enquests shall be taken to enquire of felons and robbers: and the countrey Enquest.
27. Eliz. 13. shall answer if they be not taken. AB. Huy & Crie 1.

3. This Act shall be respited vntill Easter next.

4. At what time the gates of great townes shall be shut. And at what houres watch.
the night-watch shall begin and end. AB. Watch & c. 1.

5. Highways leading from one Market towne to another shall be 200. feet Highways.
broad. AB. Highways 18.

6. Curie man shall haue armour in his house according to his abilitie, to Armour.
keepe the peace. EP. 4. & 5. P. & M. 2. Neither faires nor Markets shall be kept Faies.
in Churchyards. AB. Faies & c. 10.

13. Ed. 1. ¶ 1. The Statute of Merchants made at Westminster after Easter, An. Statute
13. Ed. 1. & An. Dom. 1285. The forme and execution of a Recognisance, be- Merchant.
ing the remedie whereby Merchants shall recouer their debts. AB. Statutes 1.
& c. This Statute shall extend to all the people of England and Ireland, sa-
uing to Jewes. The forme of the writ of execution of the Statute Merchant.
And a seale shall be sent vnto curie faire vnder the kings seale by a Clerke
sworne, of the Gouernour of the faire.

9. Ed. 1. ¶ 1. The Statute of Circumspex agatis, made Anno 13. Ed. 1. & Anno Prohibition.
Dom. 1285. Certaine cases wherein the kings Prohibition doth not lye. AB.
Prohibition 2.

¶ 1. The Statute of Westminster 3. viz. of Quia emptores terrarū, made Tenure.
Anno 18. Ed. 1. & Anno Dom. 1290. The feoffee shall hold his land of the chief
Lord, and not of the feoffor. But such lands shall not come into Portmaine.
AB. Tenure 5.

¶ 1. The Statute of Quo Warranto, made 18. Ed. 1. & An. Dom. 1290. Quo warrant.
They which haue liberties by prescription, shall enioy them accordingly, if they
haue not abused them: And they which haue them by the kings graunt, shall
hold them by their Charter. The pleas of Quo warranto shall be determined
before the Iustices in Cire. CB.

¶ 1. A new Statute of Quo warranto, made Anno 18. Ed. 1. & Anno Quo warrant.
Dom. 1290. They which haue liberties by prescription, shall enioy them ac-
cordingly: And they which haue them by the kings graunt, shall hold them by
their Charter.

¶ 1. The Statute of Fines, made Anno 18. Ed. 1. & Anno Dom. 1290. Fines.
The manner of leuying of fines: what things be requisite to make them good,
and who are bound by them. AB. Fines 1. And the said fines shall conclude not
onely parties and priues thereunto, and their heirs, but all other persons bee-
ing of full age out of prison, of god memorie, and within the Realme, if they
make

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- make not their claime within a yeaere and a day. AL. 4. H. 7. 24.
- Voucher.** ¶ 1 The Statute of Vouchers made Anno 18. Ed. 1. & An. Dom. 1290. 3. Ed. 1. 39. In plea of land the tenant voucheth, & the demandant counterpleadeth, that the tenant nor his ancestors had ever any thing in the land &c. AB. Voucher 2.
- Wast.** ¶ 1 A Statute of Wast made An. 20. Ed. 1. & An. Dom. 1292. Tenant for life committeth wast, and he in the reversion bringeth an action of Wast, and dieth before judgement, his heire brought an action for the same wast, and recovered. CB.
- Receit.** ¶ 1 Statut de Defensione iuris made Ann. 20. Ed. 1. & Anno Domi 1292. 13. Ed. 1. 3. Where a stranger comming in by a collaterall title not partie to the suit, shalbe received. AB. Receit 2.
- Jurors.** ¶ 1 Statut de hijs qui ponendi sunt in Assis, made An. 21. Ed. 1. & Anno Dom. 1293. What frehold lands those Jurors ought to have, which must passe in trials within the same Countie, and what they which must passe out of that Countie. AB. Jurors 10. 8. H. 6. 9. 2. H. 5. 3. 1. H. 8. 8. 35. H. 8. 6.
- Hunters.** ¶ 1 Statut de Malefactoribus in Parcis, made An. 21. Ed. 1. & An. Dom. 1293. In what cases the killing of off-shoots in forests, parkes, or warrens, is punishable, in what not. AB. Forests 4.
- Consultation.** ¶ 1 The Statute of Consultation, made An. 24. E. 1. & An. Dom. 1296. A Consultation shall be graunted, where, upon the suit of a Prohibition, the partie can have no remedie in the Kings Court. AB. Prohibition 8.
- Confirmat.** ¶ 1 A Statute made at London 10. die Octobris, & An. 25. Ed. 1. & An. Dom. 1297. A Confirmation of the great Charter, and of the Charter of the forest: and that the great Charter shall be allowed at the Common Law; and that they shall be sent to all Cathedral Churches, to all Sherifes and Cities, to be published to the people: and that all Bishops shall twice in the yeaere pronounce sentence of Excommunication against all those that by word, deed, or counsell in any point shall break or undo them. The Aides, Tares, & Pisses before granted to the king, shall be no present, nor shall be drawne into a custome. The kings grant for him and his heires, that for no businesse he shall take any such Aids, Tares, or Pisses, but by common consent of all the realm, and for the common profit thereof.
- Statut. de finibus leuatis made Anno 27. Ed. 1. & Anno Dom. 1299.
- Fines.** ¶ 1 It shall be no exception to a fine, that the demandants, or plaintifes, or their ancestors, were alwayes seised of the land. AB. Fines 2 1. Fines shalbe openly and solemnly read, and in the meane time all pleas shall cease two daies in the weeke. AL. 4. H. 7. 24.
- Sherifes.** 2 A Sherife shall execute his warrant in leuying of Issues, & no more: and shall make tallies of such money as he or his officers have received. AB. Sher. 39.
- Mainprife.** 3 Justices of Assise shalbe also Justices of Gaole delivierie, which shal punish Sherifes and others bailing offendours not bailable. AB. Mainprife 4. 1. & 2. P. & M. 13.
- Nisi prius.** 4 Nisi prius shall be granted before one of the Justices of the Court where the suit is commenced. AB. Nisi prius 2. 12. Ed. 3. 2. Ed. 3. 16.
- Ad quod damnum.** ¶ 1 Ordinatio de libertatibus perquirendis, made An. 27. Ed. 1. & An. Dom. 1299. In what cases the writ of Ad quod damnum is to be sued. AB. Ad quod damnum 1. A Commission may be graunted to receive Attorneyes for such as beimpleaded. AB. Attorney 2. 13. Ed. 1. 10.
- Wards.** ¶ 1 The Statute of Wards and Reliefe, made An. 28. Ed. 1. & An. Dom. 1300. Who shalbe in ward, and pay reliefe, and who not: and how many writs there be to recover wards. AB. Wards 16.

¶ 1 A Statute made Añ 28.Ed.1.& Añ Dom 1300. Touching persons Approuers. appealed by Approuers. AB. Approuers 1.

Articuli super Chartas made at West. Añ 28.Ed.1.&

Anno Dom. 1300.

¶ 1 A Confirmation of the great Charter, and the Charter of the Forest: Confirmation
The same shall be in euerie part obserued, and deliuered to euery Sherife to be
read foure times in the yere in their full Counties. Commissioners shalbe cho-
sen in euerie Countie Court, to enquire of, and punish such of the same Coun-
tie as shall offend against any point of the said Charters. CB.

4.Ed.3.4. 2 So Purueyours shall take any prises, but the kings, and they only for his Purueyours.
30.R.2.5. house. They shall haue their warrant, and shew it. The penaltie if any take
without warrant, or otherwise than his warrant. Purueyance for the Ward-
robe. AB. Purueyours 3.4.11.

13.R.2.1. 3 Of what things the Marshal of the kings house shall hold plea. AB. Mar- Marshal.
33.H.2.12. shall 1. Which Coroners shall inquire of the death of a man slaine within the
Werge. AB. Coroners 18.

9.H.3.11. 4 Common pleas shall not be holden in the Exchequer. AB. Courts 5. Common pleas

5 The Chancelor, and Iustices of the Kings Bench shall follow the king, Counsellors.
so that he may alwaies haue some men learned in the Law nere him, to order
such matters as shall come to the Court.

6 So writ that concerneth the Common law, shalbe awarded vnder any Sealer.
of the petit Seales. AB. Proccs 4.

7 The Constable of the Castle of Douer shall not hold plea within the Ca- Douer.
stle-gate, of any forraigne matter which toucheth not the Castle, nor shall di-
straine the people of the Cinque Ports, to doe otherwise than their liberties
will allow. R.

8 The inhabitants of euerie Countie shall haue choice of their Sherife, Sherife.
where the Shyrualtie is not of sex. AL.9.Ed.2. 14.Ed.3.7.

34.Ed.3.4. 9 What sort of people shall be returned vpon euery Iurie. AB. Iurors 1. Iurors.

10 The remedy against Conspiratoys, false Infourmers, and Imbracers of Conspiracie.
Iuries. AB. Conspiracie 2.

33.Ed.1. 11 Nothing shall be taken to maintaine any matter depending in suit. AB. Champertie.
Maintenance 5.

51.H.3. 12 What distresse shal be taken for the kings debt, and how it shall be used. Distresse.
AB. Accomptants &c. 52. Distresse 11.

13 The Commons of the Shire shall chuse such Sherifes that shall Sherifes.
not charge them, or place any Officer for rewards or bydes, and which
shall not lodge too often in one place, nor with poyse persons or men of Religi-
on. CB.

14 Bailiwikes and Hundreds shall not be letten too deere, whereby the peo- Bailiwikes.
ple may be overcharged with contribution to such fermes. CB.

15 In Summons and Attachments in plea of land, the writs shall con- Dapes.
taine xv. dayes. AB. Dayes 6.

13.Ed.1.39. 16 Such Execution shall be done of them that make false Returnes of False returne
writs, whereby right is deferred with the like pains, as is contained in the Sta-
tute of 13.Ed.1. AB. Returne &c. 1.

7.R.2.6. 17 The Statute of Winchester shall be read foure times in the yere, and Statute of
put in execution. CB. Winchester.

36.Ed.3.13. 18 An Escheator, or Subescheator shall commit no wast in wards lands. wards.
24.Ed.3.13. AB. Wards 23.

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- Livirie.** 19 In what case the owner shall have his lands delivred out of the kings hands, with the issues. AB. Livirie 11.
- Gold.** 20 Wessell of gold and silver shall be assaid and touchd. AB. Gold 9. 2.H.6.14.
- A prerogat.** All these things notwithstanding the right and prerogative of the Crowne shall be saved to the king in all things.
- Amoveas manum.** ¶ 1 Statut de Eschactoribus made at Lincolne Octabis Hillarij, An. 29. Ed. 1. & An. Dom. 1300. In what case an Amoveas manum with the issues shall be granted: and in what a Reseiser. AB. Livirie 12.
- Reseiser.** ¶ 1 The new Statute of Quo warranto made at Gloucestre Anno 30. Ed. 1. touching claiming of Lēts, Hundreds, Tol, and other liberties in Cire, and complaints made of Bailifes: and the soyme of Writs demised for the same.
- Quo warrant.** ¶ 1 Statut de protectionibus made at Westmynster 18. die Nouembris, Anno 33. Ed. 1. & An. Dom. 1304. A cause to repeale a Protection of the kings service. AB. Protection 4.
- Protection.** ¶ 1 A definition of Conspiratoys made An. 33. Ed. 1. & An. Dom. 1304.
- Conspiratoys.** AB. Conspiracie 1. And who be Champertoys. AB. Maintenance 6.
- Champertie.** ¶ 1 The Statute of Champertie made at Westmynster 18. die Septembris, Anno 33. Ed. 1. & An. Dom. 1305. The punishment of such as commit Champertie. AB. Maintenance 5. 3. Ed. 1. 25. 13. Ed. 1. 49.
- Challenge.** ¶ 1 An Ordinance for Enquests made at Westmynster 18. die Septembris, An. 33. Ed. 1. & An. Dom. 1305. He that chalengeth a Jurie or a Juror for the king, shall shew his cause. AB. Challenge 5.
- Forest.** ¶ 1 Ordinatio foreste made An. 33. E. 1. & An. Dom. 1305. They whose woods are disafforested shall not have common, or other easement within the kings forest. But if they will returne their woods into the forest, they shall have common and other easement, as they had before. BE. .
- Measure.** ¶ 1 An Ordinance for measuring of land made An. 34. Ed. 1. & An. Dom. 1306. AB. Weights &c. 5.
- Jointenancie.** ¶ 1 The Statute de Coniunctim feoffatis made at Westmynster. 27. die Maij, An. 34. Ed. 1. & An. Dom. 1306. Jointenancie pleaded in abatement of a writ. AB. Jointenancie 1.
- Inquisition.** ¶ 1 Articles of Inquisition upon the Statute of Winchester made Tempore Ed. 1. An inquirie how the particular branches of the same Statute bee performed, and by whom broken.
- Boytmaine.** ¶ 1 A Statute of not amortizing lands made Tempore Ed. 1. A Prohibition that lands be not amortized where there be Helnes, unlesse the religious doe shew to the king the same Helnes assent by their letters patents vnder their seals. And that nothing shal passe where the donor both not reserve something to himselfe. CB. 25. Ed. 1.
- Puruepoys.** ¶ 1 A Statute made in the time of R. Ed. 1. whereby the king did grant, That no Tallage or Aid should be taken or leuied by him or his heirs, without the assent of the Lords and Commons: nor that any of his officers should take any goods of any persons without the owners consent. And the kings pardon to some of his subjects. 4. Ed. 3. 6.
- Religious houses Aliens.** ¶ 1 A Statute de Asportatis Religioforum made at Cartiel, An. 35. Ed. 1. & An. Dom. 1307. No tare shalbe sent or paid by any religious house to any superiour out of England. No religious person shall goe to any Visitation out of England. No religious house out of England shall set any tare or paine upon any religious house in England, on paine to forfeit all that they may forfeit, saving to religious houses Aliens their Visitations in England. CB.

King Edward the second.

9

¶ Statut Ne Rectores prosterant arbores in Coemiterio, made An 35. Churchyards
Ed. 1. & An Dom 1307. In what cases trees may be cut downe in Church
yards. AB. Ecclesiasticall &c. 34.

King Edward the second.

1 **A** Statute made for Knights An. 1. Ed. 2. & An. Dom. 1307. If any wil Knight.
complain in the Chancery because he was distrained to take upon him
the order of a Knight, & hath not twenty pounds yearly in fee, & for terme
of life: or that he is impleaded for all his land, or for part of the same, so that the
revenue be not sufficient to the value of xx. l. or that he is bound in certain debts
in the Exchequer, for a certaine summe to be received yearly out of his lands,
so that the residue doth not amount to the yearly value of xx. l. before the sayd
summe: or that he is not come to the age of xxi. years: or that his land is holden
in ancient demesne of the Crown of England as a Socman, which
must give Tallage when the kings demesnes are taxed: or that his lands are
holden in Socage of other than of the king: or that his lands be Bur-
gage lands, though they doe amount to the yearly value of xx. l. or more: or that
he hath holden his lands in his hands but a small time: or that he is of great
age, or hath defects in his bodie, or incurable disease, or hath charge of children,
or of suits, or do alledge such necessarie excuses, and that he shal prove the same
by Enquest, he shall resort to R. T. and A. B. and make a reasonable fine. Q.
whether this be a Statute in force, or was made onely for that present time.

¶ Statut de frangentibus prisonam, made An. 1. Ed. 2. & An. Dom. 1307. Breaking of
In what case it is felonie to breake prison. AB. Prison 5. prison.

Articuli Cleri, made at Lincolne Anno 9. Ed. 2.

& An. Dom. 1315.

¶ Prohibition shalbe granted where Tithes, Oblations, Obventions, Prohibition.
tions, or other such be demanded, but where money for them. AB. Prohi-
bition 1.

2 Debate upon the right of tithes according the fourth part. And enjoining Penance.
of penance pecuniarie or corporall. AB. Prohibition 2. 3. 4.

3 Laying violent hands upon a Clerke. Excommunication for penance Excommuni-
corporall. AB. Prohibition 3. cation.

4 What may be said for defamation. AB. Prohibition 3. Defamation.

5 Prohibition where Tithes is demanded of a vicar in mill. AB. Prohibi-
tion 6. tion.

6 A suit for one offence prosecuted in both Courts. AB. Prohibition 3. Double suit.

7 In what onely case the kings letters to absolve an excommunicat, shall Absolution.
be sent. AB. Excommunication 10.

8 Clerks in the kings service shalbe discharged at their instance, but shalbe Respon-
corrected by their Ordinaries. AB. Ecclesiasticall &c. 34. and in what is to be done

9 Distresses shal not be taken in the highways, or the maner of the Distress.
Church. AB. Distresse 4. and in what is to be done

10 What that shalbe the Rector, so long as he be in the communion way, or Abmonition
in the Church, shalbe he pay. AB. Distresse 4. and in what is to be done

11 What shalbe the Rector, so long as he be in the communion way, or Abmonition
in the Church, shalbe he pay. AB. Distresse 4. and in what is to be done

1. Ed. 3. 10.

King Edward the second.

- Excommunication.** 12 A Clerk excommunicat may be taken out of the Parish where he dwel-
leth. AB. Excommunication 11.
- Presentation.** 13 A spiritual Judge shall have the examination of a Parson presented
to a Benefice. AB. Ecclesiasticall &c. 3.
- Election.** 14 There shalbe free election of dignities of the Church. AB. Corporations 29. 3. Ed. 1. 5.
- Idiuration.** 15 A Clerke flying to the Church for felonie, if he affirme himselfe to be a
Clerke, shall not be compelled to abjure the Realme, but shall enjoy the privi-
ledge of the Church. AL. 28. H. 8. 1.
- Priviledge.** 16 The priviledge of the Church being demanded in due forme by the Di-
narye, shall not be denied to the Appello, as to a Clerke that hath confessed
his theft, robbery, murder, &c. AL. 28. H. 8. 1.
- Sherifes.** ¶ 1 The Statute of Sherifes made at Lincolne An. 9. Ed. 2. & An. Dom. 14. Ed. 3. 7.
1315. Sherifes shalbe assigned by the Chancelor, Treasurer, Barons of the
Exchequer, & Justices. A Sherife must have sufficient in the same Countie,
and not be Steward or Bailife to any Lord, and be out of service. And Bailifs
of Hundreds shall have sufficient within the same Shire. AB. Sherifes 1. 2. 25. 4. Ed. 3. 9.
5. Ed. 3. 4.
- Chancel.** ¶ 1 The Statute of Chancel in London, made An. 10. Ed. 2. & An. Dom.
1316. Lords of Wents in London shall recover them by a writ of Chancel of
customs and services, and in default therof the lands in demesne in the which
they shalbe called Forchoc. Q. for the use.

The Statute of Yorke made 20. die Octobris, Anno 12.

Ed. 2. & An. Dom. 1318.

- Attorney.** ¶ 1 Tenants in Aulse of Nouel disseisin may make Attorneys. AB. At-
turneyes 3.
- Witnesse.** 2 Prozesse against the witnesses of a deed denied. AB. Witnesse 2.
- Nisi prius.** 3 Enquests and Juries touching pleas of land, shalbe taken by Nisi prius. 27. Ed. 3. 4.
AB. Nisi prius 2. 2. Ed. 3. 16.
- Nisi prius.** 4 Justices of Nisi prius shal record ponsuits, defaults, &c. whereupon iudge-
ment shalbe given. AB. Nisi prius 3.
- Returms.** 5 An Adventure shalbe made betwene the Sherife and Bailife of Fran-
chise of euerie retorne, and they shall set their names to the retournes. AB. Re-
turne &c. 6. 7.
- Viſtuall.** 6 No officer of a Citie or Borough shall sell wine or victuals during his of-
fice. AB. Viſtuall 9. 6. R. 2. 9.
3. H. 8.
- Escoines.** ¶ 1 The Statute of Escoines made An. 12. E. 2. & An. Dom. 1318. Cer-
taine cases wherein Escoines doe not lye. AB. Escoines 9.
- Fines.** ¶ 1 The Statute of Caliel made An. 15. Ed. 2. & An. Dom. 1322. The
Comiso, in a fine shall come personally before the Justices. AB. Fines 1.

Prærogatiua Regis, made Anno 17. Edw. 2.

& Anno Dom. 1324.

- Marriage.** ¶ 1 The things Prærogative in the wardship of his tenants heire, which
holdeth of him in chiefe. AB. Prærog. 1.
- Marriage.** 2 His Prærogative in the marriage of his tenants heire. AB. Prærog. 2.
- Primer seisin.** 3 His Prærogative in the primer seisin of his tenants land. AB. Pr. 3. 32. H. 3. 16.
- Widowes.** 4 His Prærogative in assignement of dower to his widowes. AB. Pr. 4.
- Women.** 5 His Prærogative in the marriage of his women tenants. AB. Pr. 5.
- Caputances.** 6 His Prærogative in disposing of Caputances lands holden of him. AB.
Prærog. 6.

1. Ed. 3. 12. 7 His Prerogative, that lands holden of him in chiefe may not be aliened without his licence. AB. Prerog. 7. Alienation.
- 8 His Prerogative, that they which hold lands of him by Sericantie shall pay a fine at the alienation of them. AB. Pr. 8. Sericantie.
- 9 His Prerogative, that lapse of six monethes shall not prejudice his presentation. AB. Pr. 9. Lapse.
- 10 His Prerogative in the custodie of lands of Ideots. AB. Pr. 10. Ideot.
- 11 His Prerogative in the preservation of the lands of Lunatikes. AB. Pr. 11. Lunatike.
- 12 His Prerogative in having the wrecke of the sea, Whales, and Sturgeons. AB. Pr. 12. Wreche.
- 13 His Prerogative in enjoying his tenants lands, which intrudeth upon his possession before homage done, and seisin delivered. AB. Pr. 13. Intrusion.
- 14 His Prerogative in having the Escheat of Bishops feoffholders attained of felons, during the vacation. AB. Pr. 14. Escheat.
- 15 His Prerogative, that Knights fees, Advowsons, and Dowers, do not passe from him without speciall wordes. AB. Pr. 15. Knights fees.
9. Ed. 3. 12. 16 His Prerogative in having the goods and lands of felons attainted. AB. Pr. 16. Felons.
- ¶ 1 The manner of doing of homage and fealtie, made Añ 17. Ed. 2. & Añ Dom 1324. AB. Homage &c. 2. 3. 4. Homage.
- ¶ 1 The Statute de visu Franci plegij, made Añ 18. E. 2. & Añ Dom 1325. Of what things Sheriffs in their Leets shall enquire. AB. Leets 1. Leets.
3. Ed. 3. 4. ¶ 1 A Statute of Pifes made Anno 28. Ed. 1. and confirmed by King Edward the second. Pursuors that agree for things taken, shall have a Commission, and shew it, and shall take nothing without warrant. AB. Pursuors 3. 4. Pifes.
- ¶ 1 Articles against the kings Prohibition. In which cases the kings Prohibition will lye, in which not. AB. Prohibition 1. 2. 3. 4. Prohibition.

An Ordinance for Bakers, Brewers, and other Victualers,
and for Elmes, Busbels, and Foretallers.

- ¶ 1 The assise of bread shall not be changed, but as coine riseth or falleth in the Quarter. AB. Weights 15. Bread.
- 2 For what offence a Baker shall be amerced, and for what set on the Pill. Baker. AB. Weights 15. Pill.
- 3 Curtes Pillorie or stretch necks shalbe of convenient strength, that the Pillorie offendor may be punished without perill of his bodie. AB. Weights 14. Pillorie.
- 4 What toll at a Mill shalbe taken. AB. Toll 2. Toll.
7. Ed. 4. 5. 8. Ed. 3. 1. Jac. 5. 5 The price of Wine shall be twelve pence a gallon: And if the Taverners exceed that price, their doores shall be shut up by the Mayor and Bailiffs. Wine.
- 6 The assise of Ale shalbe according to the price of coine, wherof the mault is made. AB. Weights 15. Ale.
- 7 The punishment of a Butcher that buyeth swines flesh mewed, or dead Butchers of the murren: or buyeth it of Jewes and selleth it to Christians. AB. Butchers 4. Butchers.
- 8 Busbels, Gallons, and Elmes, shalbe signed with the kings Seale. And he that buyeth or sell by other measure, shall be grievously amerced. AB. 11. H. 7. 4. Measures.

King Edward the third.

- Measures.** 9 The Standard, Bushels, and Elmes, shalbe kept by the Mayor, Bailifes, and six twoyne men. AL. 11. H. 7. 4. No grains shall be sold by the heape or cartell, but Dats, Salt, and Peale.
- Forestaller.** 10 No Forestaller shall be suffered to dwell in any Towne. AB. Forestallers &c. 1.
- Measure.** ¶ 1 The content or measure of a Bushell, being the 2. part of a Quarter. 11. H. 7. 1.
- Templers.** ¶ 1 Stat. de terris Templariorum, made Añ 17. E. 2. Because the military Order of the brethren of the Templers is suppressed, whose lands were given unto them for the defence of Christians, and the holie Land, against Pagans and Saracens, and other enemies of Christ and Christians, and the vniuersal holie Church, It is enacted by Parliament for law for ever to endure, That all their lands shalbe assigned and go to the Order of the Priors brethren and their successors of St. Johns of Jerusalem, which likewise is canonized, instituted, and provided for the defence of Christians and the holie Church, To be holden of the King and other Lords of the fee, by the same seruices that the brethren of the military Order of the Templers held them. Saving to all others their actions, rents, seruices, &c. Añ 31. H. 8. 24. Dissolued.

Statutes made at Westminster 7. die Martij. Anno 1.

E. 3. & Anno Dom. 1327.

- Pursuit of R. Edw. 3.** 1 None shall be impeached in person or goods, that came out of France with the King and Queen Isabel his mother, in pursuit of King Edward the second, his father, who was taken and put in ward, and there remaineth: Or for the pursuit of any other with him, or taking their bodies or goods, or the death of them. But this shall not extend unto other offenders. EP.
- Hugh Spencer.** 2 A confirmation of the exile of Hugh Spencer the father, & Hugh Spencer the sonne. EP.
- Baronages by duress.** 3 Fines leuied to the said Spencers, or other rebels, lands sold, and recognisances acknowledged unto them by force & duress, shalbe reuerfed by writ awarded out of the Chancery, and returned into the R. Bench. And the Executors of them whose persons were slain, and goods spoiled in the time of that tumult, shall haue their actions to recover the value of the same goods against the Executors of them which made the said spoile. EP.
- Auerement.** 4 Trial of an Auerement in a writ of False judgement. AB. False &c. 2.
- Returne of Bailiffs.** 5 Auerement against the returne of Bailiffs of Franchises. AB. Returne &c. 8.
- Attaint.** 6 Attaint will lye as well vpon the principalls as vpon barages in an action of Trespasse. AB. Against 1.
- Prisoners.** 7 The Iustices of either Bench, of Assise, and Gaole deliuerie, shall heare and determine the offences of those Sheriffs, Gaolers, and Keepers of prison, which by duress doe cause a prisoner to become an Approper. AB. Iustices of both Benches &c. 2.
- Forfeits.** 8 How he shall be used which is taken in the Forest for any offence of Mort or Venison. AB. Forests 2. If the chiefe Warden of the Forest will not bayle him, he shall haue a writ out of the Chancery, directed to the Sheriffe, to attach the said Warden to be before the King. And the Sheriffe in the presence of the Wardens shall baile the said offender. AL. 7. R. 2. 4.

Other

Other Statutes made at Westminster Anno 1. Ed. 3.

& Anno Dom. 1327.

¶ 1 The great Charter, and the Charter of the Forest confirmed. The Confirmation old Perambulations of the Forest, made in the time of R. Ed. 1. shalbe ridden and bounded. And a Charter shall be made to everie Shire where it was ridden and bounded, and where it was not bounded, it shalbe by good men, and a Charter shall be made.

2 How everie man may use his woods within the Forest. AB. Woods 23. Woods.
Bishops Temporalities with their goods and chattels shal not be seised into the kings hands without cause, as they were in the time of King Edward the second. EP. Temporalities.

3 Issues and Amerciaments pardoned by King Edw. the second, and yet by him levied, shalbe released. And also the Jewes debts. Debts pardoned.

4 The kings debts to the summe of three hundred pounds, shall be ordered and determined according to the estate of the debtors, saving their countenance: And other debts shall be levied by the debtors oath, saving his countenance. EP. R. debt.

5 No man shall be compelled to goe to warre out of the Shire where he dwelleth, but where need requireth, and sudden coming of forreine enemies into the Realme. Warre.

6 When the Commons doe grant Aid of their goods to the king, they shal be taxed as they had wont to be, and no otherwise. Taxes.

7 Wages shall be given by the king, and not by the Commons, to Preparers, Conueyors, and Souldiers, being in making readie toward service in warre. AB. Warre 1. Warre.

8 Nothing shall be taken by Sherifes, naming themselves the kings Approvers, for Beaupleader. EP. Beaupleader.

9 Cities, Boroughs, and Franchised Townes, shall enjoy their customs. Franchises.

10 There shalbe no more grant of Coxrodies by Bishops, Abbots, Priors, Coxrodies, &c. at the kings request.

11 A Prohibition against them who in the Spiritual Court sue their Indictors. AB. Prohibition 7. Prohibition.

12 For lands holden of the king in chiefe, being aliened without licence, there shall be a fine taken, but no forfeiture. AB. Prerog. 8. Alienation without licence.

13 Lands holden of the king, as of some honour, be not holden in chiefe. AB. Prerog. 8. Tenures 1. T. in chiefe.

14 None shall commit maintenance by the sending of letters, or other wise, to the hinderance of the Common law. AB. Maintenance 1. Maintenance.

15 No man shall be bound by writing to come armed to the king when he is sent for. CB. Armed.

16 Justices of peace shalbe appointed in everie Countie. AB. Justices &c. 1. Justices.

17 Indictments in Sherifes Turnes shall be by Roll indented. AB. Sherifes 12. Indictments.

Statutes made at Northampton tribus Septimanis Pasche,

An. 2. Ed. 3. & An. Dom. 1328.

¶ 1 The great Charter, and the Charter of the Forest shalbe observed in all points. Confirmation

King Edward the third.

Pardon.	2	Of what offences Pardon may be granted. AB. Pardon i. Who shalbe Ju- 6. Ed. 1. 9. stices of Assise, Dier determiner, and Gaole delinerie. 4. Ed. 3. 13.
Armed.	3	No man shall come before the Justices, or goe or ride, armed. AB. Ar- 7. R. 2. 13. mour i. 20. R. 2. 1.
Sherifes.	4	A confirmation of the Statute of Lincolne, concerning the sufficiencie 9. Ed. 2. of Sherifes, Hundredors, and Bailifes. AB. Sherifes 1. 25. 4. Ed. 3. 9.
Writts.	5	The manner how writts shall be deliuered to the Sherife to be executed. 5. Ed. 3. 4. AP. Returne &c. 1. 13. Ed. 1. 39.
The peace.	6	A confirmation of the Statute of Winchester. Justices of peace shall 18. Ed. 3. 2. haue power to punish the disobeyers and resisters of the peace. AB. Justices of 34. Ed. 3. 1. peace 18.
Commissions	7	Commissions shall be graunted to great men of the Realme, some of the 11. R. 1. 10. Justices of the one Bench and the other, and other learned men in the Law, to heare and determine felonies, oppressions, and diuers other offences past. EP.
Justice.	8	No commaundement vnder the great or little Seale, shall disturbe or de- 11. R. 1. 10. lay Justice. AB. Justice 1.
Staples.	9	All Staples shall cease, and all Marchants may come and goe with their Marchandise. AB. Marchants 1.
Pardon.	10	A Pardon for all fines for writts, vntill the 10. yeare of king Edward the first. EP.
Adjournment	11	The Common Bench shall not be remoued without warning by Ad- journment. AB. Adjournment 1.
Hundredors.	12	Hundredors and Mapentakes shall not belet to ferme by the king to or 4. Ed. 3. 15. thers, but shall be annexed to the Counties, and not hereafter seuered from them.
Process.	13	Like Process shall be made of Trespas done in the time of R. Ed. the 2. as in the time of the king that now is. EP.
Clothes.	14	The measuring, assising, and marking of cloth of Ray. AB. Draperie 1. 7. H. 4. 10. Faires.
Disputes.	15	No man shall keepe a faire longer than he ought to do. AB. Faires 1. 13. H. 4. 4. 16 A Nisi prius may be granted as well at the tenants suit, as at the de- 5. Ed. 3. 5. maundants. AB. Nisi prius 2. 27. Ed. 1. 4. 17 A writ of Deceit shall be maintainable in case of garnishment, touching 12. Ed. 2. 3.
Deceit.	17	A writ of Deceit shall be maintainable in case of garnishment, touching plea of land. AB. Deceit 2.

Statutes made at Westminster 27. die Nouembris, Anno

4. Ed. 3. & Anno Dom. 1330.

Confirmation	¶ 1	The great Charter, the Charter of the Forest, and all other Statutes shall be obserued.
Justices.	2	The authoritie of Justices of Assise, Gaole delinerie, & of the peace. AB. Justices of Assise, &c. 3.
Purueyours.	3	There shall be no purueyance but for the King, the Quene, and their children. There shall be an appraisement of things taken. And by what mea- 25. Ed. 3. 1. sure Purueyours shall take. AB. Purueyours 16. 17. 36. Ed. 3. 2. 10. Ed. 3. 1.
Purueyours.	4	A confirmation of the Statute made 28. Ed. 1. 2. touching Purueyours. AB. Purueyours 3. 4. 11.
Pardon.	5	The kings Pardon of certaine duties granted to him by some knights, Citizens, and Burgeses. EP.
Religious.	6	The Statute made at Carliel An. 35. Ed. 1. touching religious persons, shalbe obserued. CB.

- 7 Executors shal haue an action of Trespasse for a wrong done to their Testators. *Executors.*
Stat. AB. Executors 1.
- 8 At Dover, and all other passages, men shal pay for their fares as they had Passages. wont to doe.
- 9 No Sherif, Bailif of Hundred, Wapentake, or Franchise, nor vnder Clere Sherif. *12*
9. Ed. 1. cheato; shall be, except they haue lands sufficient in the same places, to answer
5. Ed. 3. 4. the king and his people. AB. Sherifes 1.
- 10 Sherifes and Gaolers shall receiue felons, without taking anything Gaolers. 0
therefore. AB. Prisoners 6.
- 11 Iustices of the one Bench and the other, and Iustices of Assise, and Gaolers. *12*
20. Ed. 3. 6. Nisi prius, shall enquire of, heare, and determine of Puntainers, Bearers,
Conspiratores, and committers of Champertie. And that which cannot be de-
termined before the Iustices vpon the Nisi prius, shall be adiourned into the Adournment
Bench wherof they be Iustices, and there determined. AB. Iustices of both
Benches 3.
- 12 Wine shall be sold at reasonable prices, regarding the price it is at in the *Wines.*
port from whence it came, and the expence in cartage. *AL. 28. H. 8. 14.* Wines shal
be assayed twice in the yere by the Lords or chiefe Officers of the townes, and
the corrupt shall be potwored out, and the vessels broken. AB. Wines 12.
- 13 A Confirmation of the Statute made Anno 2. Ed. 3. 2. touching par- *Pardons.*
dons.
- 14 A Parliament shall be holden once euerie yere. AB. Parliament 1. *Parliament. 1*
- 15 Sherifes shall let their Hundreds and Wapentakes for the old ferme, *Hundreds.*
and not aboue. And the Iustices assigned shall enquire of the offendours, and
punish them. *AL. 4. H. 4. 5. & 23. H. 6. 10.*

Statutes made at Westm. Craistino Michaelis, Anno

5. Ed. 3. & Anno Dom. 1331.

- ¶ 1 The great Charter, and the Charter of the Forest, shall be maintai- *Charter.*
ned.
- 2 Things purveyed for the kings house shall be purveyed by the Consta- *Purveyors.*
bles and four men of the same Towne, and Tallies shall be made thereof.
4. Ed. 3. 3. AB. Purveyors 17. Of what people Enquests in the Marchals Court shall *Marchall.*
36. Ed. 3. 3. be taken. And where Errour committed there shall be redressed. AB. Mar-
shall 4. 5.
- 3 A Confirmation of the Statute of Carlisle, made Anno 35. Ed. 1. touch- *Monasteries.*
ing religious houses. CB.
- 4 Sons shall be Sherif, Bailif of Hundred, or vnder Clerecheato; unless *Sherif.*
4. Ed. 1. he hath sufficient land in the same Countie. AB. Sherif 1.
4. Ed. 3. 9.
- 5 The forfeiture if any doe sell wares at a faire after it is ended. AB. *Faires.*
5. Ed. 3. 15. Faies 11.
- 6 Nisi prius shall be granted in Attaint, but no Essoine nor Protection. *Statut.*
Fine dayes in the yere shal be given before the Iustices of the Common bench.
AB. Attaint 12.
- 7 Attaint shal be granted in trespass, if the damage passe forty shillings. *Attaint.*
28. Ed. 3. 8.
- 8 The Marchall of the Kings Bench shall not baile felons. AB. Main- *Wainpyrie.*
1. Ed. 3. 6. pryse 5.
- 9 No man shall be attached, nor so reindged of life, limbe, lands, or goods, a- *Iustice.*
9. H. 3. 39. gainst the forme of the great Charter, and the law of the land. AB. Accusation
28. Ed. 3. 3. 1. Iustice 1.

King Edward the third.

- Ambidexter.** 10 The punishment of a Juror that is Ambidexter, and taketh of the one part and the other, to give his verdict. AB. Jurors 6. 34.Ed.3.4.
38.Ed.3.12.
- Indictments.** 11 Proccs against those which be appealed, indicted, or outlawed in one Countie, and doe remaine in another. AB. Indictments 2.
- Outlawrie.** 12 What is requist to be done to haue their pardons allowed, which bee outlawed. AB. Exigent 2.3.
- Outlawrie.** 13 What is requist to be done where a man will avoid an Outlawrie by imprisonment. AB. Exigent 4.
- Suspected persons.** 14 Night-walkers and suspected persons shall be arrested, and safely kept, untill they be deliuered by the Iustices of Gaole deliuerie. AB. Felonie 2.

Statutes made at Yorke Craffino Ascensionis, Anno 9.

Ed.3. & Anno Dom. 1335.

- Marchants Aliens.** ¶ 1 Marchants strangers may buy and sell within this Realme without disturbance. And what punishment shall be inflicted vpon them which doe molest them. AB. Marchants 1. 15.Ed.3.2.
11.R.2.7.
16.R.2.1.
- Non pleuin.** 2 No man shall loose his land because of Non pleuin. CB.
- Fourcher.** 3 In a writ of Debt brought against diuers executors, they shal not fourch by Exoine. AB. Executors 4.
- Trial.** 4 Trial of a Dced dated, where the kings Wit runneth not. AB. Trial 9.
- Recorzs.** 5 Iustices of Assise, Gaole deliuerie, Wyet and Terminer, shall send all their Recorzs and Proccs determined, and put in execution to the Erchequer at Michaelmas euerie yeare once: so that they reserve the Estrats of them, to send to the Erchequer. And the Treasurer and Chamberlaines seeing their Commissions, shall receive the same Recorzs and Proccses. Quare for the vse.

The Statutes of money made at Yorke Craffino Ascensionis, Anno 9. Edward.3. & Anno Domini 1335.

Ed.3. & Anno Dom. 1335.

- Gold and silver.** ¶ 1 No man shall carrie or send gold or silver out of the Realme, without the kings licence. AB. Money 3. 5.R.2.2.
2.H.4.5.
- Falle money.** 2 No false money nor counterfeit sterling shall be brought into the Realme vpon paine of forfeiture thereof. But all silver being not false, may be brought to the Erchangers.
- Melting.** 3 No sterling, halfe penie, farthing, &c. shall be molten to make vessel of. AB. Money 7. 17.R.2.1.
- Black money.** 4 All blacke money shall be excluded, and none shall be currant. CB.
- Forfeitures.** 5 Whosoener will sue for any of the forfeitures aforesaid, shall haue the fourth part.
- Potrand.** 6 Maiors and Bailifes in euerie port shall take an oath of Marchants and Masters of ships, to do nothing to defraud this ordinance. CB.
- Erchangers.** 7 Tables of Erchanges shall be where the king will make erchanges. And the Wardens shall make them by the testimonie of Controulers. CB.
- Pilgrim.** 8 No Pilgrim shall passe out of the Realme but at Dover. CB.
- Search.** 9 Search shall be made by sworne men for money or plate carried forth of the Realme, and for false money brought in. 13.R.2.10.
4.Ed.4.10.

10 The Searchers shall have the fourth parts of that which they find: and Searchers.
for releasing or dispensing with any shall forfeit all their goods.
11 Hostellers in every Port shall be sworn to search their guests, as the Hostellers.
Searchers do, and they shall have the fourth part. And Searchers may search
their Hosteries. And the Hostellers found in default shall forfeit all their
goods. CB.

Statutes made at Westminster Anno 10. Edw. 3. &

Anno Dom. 1336.

1 The great Charter, the Charter of the Forest, and all former Statutes, shall be observed. Confirmation

2 No person shall be granted against the forms of the Statute made at Pardon,
Northampton An. 2. Ed. 3. 2.

3 He that hath a person shall find sureties to his good bearing. AP. Par. Pardon.
den.

Statutes of Purveyors made at Westminster Anno

10. Ed. 3. & Anno Dom. 1336.

1 Things provided for the Kings, the Queens, and their childrens Purveyors.
houses, shall be provided by the Constables and four men of the shire. And tal-
lies shall be made thereof. AB. Purveyors 17.

2 Of what people Enquests in the Marshals Court of the R. house shall be Marshall.
taken. AB. Marshall 4.

3 Cases in the Marshals Court shall be awarded in the Kings Bench. AP. Marshall.
Marshall 5.

4 The Sheriffs shall make purveyance for the R. houses in those Counties R. houses.
where they be. AB. Purveyances 10. But this is holden for no Statute, as it
appeareth by the Roll.

5 Certain persons shall be appointed to hear and determine all the offences R. houses.
done by the keepers of the Kings houses. CB.

Statutes made at Westminster 27. die Septembris,

Anno 11. E. 3. & An. Dom. 1337.

1 No person upon paine of death shall carrie sword out of the realm, but well.
till it be otherwise ordained by the King and his Counsell.

2 No person of England, Ireland, Wales, nor under the Kings power in Foreign cloth.
Scotland (except the King, the Queen, and their children) shall weare any
cloth, other than is made in England, Ireland, Wales, or Scotland, under the
Kings power, upon paine of forfeiture of the same, and to be punished at the
Kings pleasure. HP. 1. Jac. 25. In the said Lands a man may make cloth as
long and as short as he will. HP. 5. Ed. 6. 6.

3 No cloth wrought beyond the sea shall be brought into England, Ireland, Cloth.
Wales, Scotland, &c. AB. Draperie 101.

4 If any person of England, Ireland, Wales, or the Kings dominions of Wearing
Scotland, shall weare any fures (except the King, Queen, their children, fures.
Earls, Barons, Knights, & people of holie Church, which may dispense 100. l.
yearly by their benefices) he shall forfeit the same, and be punished at the Kings
pleasure. HP. 24. H. 8. 13.

D 1

5 Cloth.

King Edward the third.

Clothworkers. 5 Clothworkers may come into England, Ireland, Wales, and Scotland, to dwell, and shall have sufficient franchises.

Statutes made at Westminster the Ninth, Anno 1.

E.3. Anno 1. of his reign of France, &

An. Dom. 1340.

Confirmation 1 A Confirmation of the Liberties of holie Church, of the great Charter, and the Charter of the Forest. London and all other Cities & Boroughs shall have their franchises and Customs, which they have reasonably had and used.

Pardon. 2 The kings pardon of divers forfeitures, accounts, debts, arrears, &c. due untill the tenth yeare of his reign. EP.

Englischere. 4 Presentment of Englishers shall be clerely extorted.

Judgements. 5 Delays of indgements in other Courts shall be decided in Parliament. AB. Parliament 13.

Record. 6 A Record which is defective by mispicion of a Clerk, shall be amended. AB. Records 1.

Sherifes. 7 No Sherife shall tarry in his office above one yeare. AB. Sherifes 4. And then the Chauncelloz, Treasurer, and Chief Baron of the Exchequer, taking to them both the chief Justices, the marshals after all shalbe shall ordaine another in his place.

Escheatoz. 8 There shall be more Escheatoz than of late have bene, viz. one on this side Trent, and another beyond, to be chosen as is sheweth of Sherifs. An Escheatoz shall continue twene yere in his office. AB. Escheatoz 1.

Coroner. 9 Coroner shall have sufficient land. AB. Coroners 1.

Sherifes. 9 Sherifes shal hold lands, and waipentakes in their owne hands, or let them upon the old rent. There shall be but one Waipentake in one Countie. CE.

Prisons. 10 Sherifes shall have the keeping of Choles, and put in such keepers for whom they will answer. A prisoner by default becomeeth an approuer. AB. Prison 2.

Clerk of Statutes. 11 A Clerke of the Statutes shall have sufficient, and be resident upon his office. AB. Statutes &c. 1.

weights and measures. 12 There shall bee one Weight and one Measure through the Realme. AB. Weights 1. Standards of Bushels, Weights, and Gallons, shall be sent into every Countie: and certaine shall be appointed to survey that all weights and measures be according to the sayd Standards. AL. 11. H. 7. 4. The Clerke of the Sparket shall doe his office. And the Lords of franchises shall enjoy them.

Escheatoz. 13 Escheatoz shall make no waite in Wards lands. AB. Wards 23. The next of kin to whom the lands cannot descend, may take of the king in fee his Wards lands, untill his full age, paying the rent. AL. 32. H. 8. 46.

Search. 14 A man shall have but foure Writs of Search for the king. AB. Aid of the King 3.

Pardon. 15 No pardon for felonie shalbe granted, but where the king may doe it, saving his oath. AB. Pardon 1.

Nisi prius. 16 Nisi prius may be granted as well before any Justice of another Court, as of the same Court where the suit dependeth, & before the kings Serjeant: and they may give their indgements upon verdicts in Writs of Darreine presentment, and Quare impedit. AB. Nisi prius 2.

17 Iuris vtrum and other wryts maintainable for a Parson or Vicar, for Iuris vtrum lands given to a Vicarage. AB. Ecclesiastical &c. 46.

18 If the tenant will touch to warrantie a dead man, the demandant may Voucher. auerre that he is dead, &c. AB. Voucher 5.

10. Ed. 3. 4.

19 Purueyance for the kings house when he passeth through the countrey, Purueyance for the kings horses and dogs, and for his wars, and castles, shall be by the owners good will. AB. Purueyours 5. 10. 11.

20 A Subsidie granted to the king in respect of his warres in Scotland, France, and Gascoigne, of the ninth Lambe, the ninth Flaxe, and the ninth Sheafe, to be taken by two yeares. And of Cities and Boroughes the ninth part of their goods. And of Marchants, forreiners, and of them that dwell in forrests and wastes, and live not of their gaines, the fifteenth part of their goods. But the poore boyall people, and they which live by their labour, shall not be charged. AB.

21 A Subsidie granted to the king, to be taken in two yeares, of Wool, 3 Subsidie. fells, Wool-lacks, Leather, and other Marchandise. AB. The customes of a Sacke of woll neuer shall be but vi. s. viij. d. The Sacke ought to containe xxvj. Stones, and the Stone viij. l. AB. Custome 10. Weights 3. Any man that transporteth a Sacke of woll, shall be bound before to the Customers to bring at his returne plate of siluer, to the value of two Sparkes, to the kings Exchange. CB.

Statutes made Anno 14. Edwardi 3. & Anno

Domini 1340.

¶ 1 The king granteth that the foresaid Subsidie given to him by Parliament, of the ninth Lambe, &c. shall not another time be an example, nor preiudiciall to the Lords and Commons, &c. Neither shall they be charged to aid the king but by common assent of the Lords and Commons in Parliament. And that all the profits rising of the said aids, and of Wards, Mariages, Customes, and Escheates, &c. shall be dispended on the maintenance of the realme and of the warres of Scotland, France, and Gascoigne, and in no place else, where, during the said warres.

2 All Marchants, being no enemies, shall quietly come into the realm, and depart with their goods, paying their Subsidies, Customes, &c. The franchises and Customes granted to Cities and Townes being saued.

A Statute for the Clergie made at Westminster 16. die

Aprilis, An. 14. Ed. 3. & An. Dom. 1340.

1. R. 3.

¶ 1 No spirituall persons goods shall be purueyed for the king, without Purueyance. the consent of the owners. AB. Purueyours 2.

2 The king shall not make title to present to a Church in anothers right, Presentation. but of voidances happening of such benefices within three yeares next before his presentation or collation. AB. 25. Ed. 3. 2. pro Clero.

25. Ed. 3. 6.

3 No Temporalities of Bishops &c. shall be seised into the kings hands without god cause. AB. Bishops 2. Temporalities.

4 5 How Bishops Temporalities shall be used, and who shall haue them during the vacation. AB. Bishops 10. Temporalities.

¶ 1 Anno 14. Ed. 3. & Anno Dom. 1340. By Statute it was ordained, England. That the Realme of England, and the people thereof, shall not be subiect or obedient to the king or kingdome of France.

W 4

¶ 1 Anno

King Edward the third.

Trial by Peeres. ¶ 1 Anno 15. Ed. 3. & Anno Dom. 1341. A Statute was made 15. Pasche, confirming all former Statutes. And if any thing be done against the great Charter, or the Charter of the Forest, it shalbe declared the next Parliament, and by the Peeres redressed. No Peere or Officer because of his Office shall lose lands, or goods, or be imprisoned, outlawed, exiled, or put to answer, but by a ward of the Peeres in Parliament. All great Officers shalbe sworn to maintaine the privileges of holie Church, and the great Charter. In every Parliament, the third day of the Parliament, the king shal take into his hands the Offices of all his great Officers, and so they shall abide four or five daies (saving the Justices of both Benches, and the Barons of the Exchequer) so that they and all other Ministers be put to answer to every complaint. And if default be found in any of the said Ministers, and he be attainted in Parliament, by the judgement of the Peeres, he shall be put out of his Office, and in other places therein. The king shall not meddle with Usurers, but the Vicar. Ministers of holie Church shall not be compelled to answer before the kings Justices for penance, testaments, marriages, or other things touching the jurisdiction of the Church. But by another Statute made 1. Octobris, Anno 15. Ed. 3. the foresaid Statute was repealed, because it was made without the kings consent. *BP.*

Subsidie. ¶ 1 A Statute made An. 15. Ed. 3. & An. Dom. 1341. expressing certain conditions or covenants, whereupon the Subsidie granted to the king, An. 14. Ed. 3. was given him. *BP.*

Exigent. ¶ 1 A Statute made Anno 18. Ed. 3. & Anno Dom. 1342. An Exigent shall be awarded against the kings Receivers of Tolls, or money, which detain the same: and against those that transport toll, being not cocksted, or without custome: and against Conspirators and Confederators of quarrels: and against them that commit Riots in affray of the people, or bring in false money in deceit of the people, if they cannot be found, or brought in to answer by Attachment or Distresse: and not against any other. *CB.*

Statutes made at Westminster Octabis S. Trinitatis,

Anno 18. Edward 3. & Anno Domini

1344.

- Peto inquiries.** ¶ 1 Commissions of new enquire shall cease: saving Indictments of Felonies and Trespases of Tolls carried out without Subsidies, customes, &c. *BP.*
- Justices.** 2 Two or three of the best reputation in Counties shall be appointedelpers of the peace by Commission. *AB. Just of the peace 1. 34. Ed. 3. 1. 1. Ed. 3. 16.*
- Toll.** 3 Every man, as well stranger as other, may buy toll. And the sea shalbe open to all Merchants.
- Commissions.** 4 Commissions to assay weights and measures, shalbe repealed: and none such shall be granted. *BP.*
- Exigent.** 5 No Exigent shall be awarded in Trespasse, but where it is against the peace. *AB. Exigent 1.*
- Money.** 6 Money shall be made in Poike. And Exchanges shall be in good towones where the king will. *CB.*
- Confirmation.** 7 A Confirmation of the Statute made for Purveyors, and the Steward and Marshall of the kings house. *1. Ed. 3. 2. 10. Ed. 3. 1. 2.*

The

The Statute of the Clergie made at Westminster Octa-

bis S. Trinit. Anno 18. Edwardi 3. & Anno

Domini 1344.

¶ 1 In consideration of a triennall disme given to him by the Clergie, the Bishops king doth grant, that no Archbishop or Bishop shall be impeached be oze the Justices for crime, unlesse he doe commaund them. EP. crime.

2 Upon demanding of Clergie, Bigamie shalbe tried by the Ordinarie, Bigamie. as Bastardie shall, and not by Enquest. AL. 1. Ed. 6. 12.

3 If Prelats, Clerkes beneficed, or religious people, which have purchas sed lands in Poyntaine, be impeached befoze the kings Justices, & they shew a Charter of Licence, and Proces by an Enquest of Ad quod damnum, by the Kings grace, or by fine, they shalbe discharged: and if they cannot, they shall make a reasonable fine. EP. Poyntaine.

4 In Commissions to be made for Purveyances, the fees of the Church shal Prohibition. be excepted. AB. Purveyors 2.

5 No Prohibition shall be awarded, but where the king hath and ought to Purveyance. have cognizance. AB. Prohibition 2.

6 There shalbe no more Commissions granted to Justices to enquire of Spirituall Spirituall Judges, whether they made iust Proces, or excessive, in causes Le. Judges. stamentorie, and others. EP.

7 No Scire facias shall be any more awarded to warne a Clerke to answer Dismes. in the Chauncerie of Dismes, and to shew why such Dismes should not bere: Wozed. CE.

¶ 1 The Statute of the oath of the Justices, being made An. 18. Ed. 3. Oath. & An. Dom. 1344. AB. Justices of both Benches, &c. 1.

¶ 1 The oath of the Clerks of the Chauncerie, made An. 18. Ed. 3. & An. Oath. Dom. 1344. And of the Clerkes of counseil.

Statutes made at Westminster 7. die Maij, Anno

20. Edwardi 3. & Anno Domini

1346.

¶ 1 The Justices of both Benches, Allise, &c. shall doe right to all men, Justices. without regard of letters, writs, or commandements: Shal take no fee of any but of the king: nor give Counsel where the king is partie. AB. Justices of Allise &c. 1. 2.

2 Barons of the Exchequer shall doe right to all men without delay. AB. Ju- Barons of the Exchequer. Rices of Allise &c. 2.

3 The oath of Justices of Oier and Terminer, of Allise, and Gaole deli- Justices oath uerie, and their associates. AB. Justices &c. 2.

4 None shall maintaine any quarels but their owne, in disturbance of law Maintenance and hinderance of right. AB. Maintenance 1.

5 Lords and great men shall put those out of their service, fees, and robes, Mainteynors which be maintainers of quarels. EP.

6 Justices of Allise shall enquire of the demeanour of Sherifes, Escheatores, Justices Bailifes of Franchises, and their under Ministers, and of Maintainers, common Embracers, and Jurores, and punish all them which they shal find guiltie. AB. Justices of both Benches 3.

King Edward the third.

The Statute of Labourers made at Westminster 14.

die lunij, Anno 23. Edwardi 3. & Anno

Domini 1349.

- Who shalbe bound to serue** ¶ 1 Cuere man and woman able in bodie, vnder the age of thre&scorpe yeares, not lining in marchandise, no; exercising any craft, no; hauing of his owne to line, no; land about whose tillage he may imploy himselfe, and not seruing another, shalbe bound to serue, if he be required, and shall take the accustomed wages: Or else shalbe committed to the gaole, vntill he find suretie to serue. Provided, that Lords be preferred in their bondmen and land-tenants. *HP. 5. Eliz. 4.*
- Departure.** 2 Labourers or seruants retained, shall not depart within their terme, vpon paine of imprisonment. And such shall not be retained by another. *HP. 5. Eliz. 4.*
- More wages** 3 Whosoever giveth or taketh more wages than hath bene accustomed, shall forfeit double so much. *HP. 5. Eliz. 4.*
- Wages.** 4 If any Lord or a Baron hath covenanted to give a servant more wages than hath bene accustomed, he shall not be bound to pay it. *HP.*
- Wages.** 5 If any Artificer or Workeman shall take any more for his labour than had wont to be given, he shall be committed to the next Gaole. *HP. 5. Eliz. 4.*
- Viaticals.** 6 Viaticals shalbe sold at reasonable prices, and Viaticalers shalbe content with a moderat gaine. And Sheriffs, Bailiffs, and chiefe Officers, shal enquire of, and punish offenders. *AB. Viaticals 4.*
- Beggars.** 7 No man shal give any thing to beggars that are able to labour, vpon paine of imprisonment. *HP. 1. Ed. 6. 3.*
- Surplusage of wages.** 8 Artificers and seruants which doe take more than hath bene accustomed for their wages, shall pay the surplusage to the Towne where they dwell, towards the discharge of the Lenthes and Fiftiethes graunted to the King. *HP.*

12. R. 2. 2.
12. Ed. 4. 8.
25. H. 2. 1.

A Statute of Labourers made at Westminster

Oclabis Purificationis, An. 25. E. 3. & An. Dom.

1350.

- Wages.** ¶ 1 The yerres and dayes wages of seruants and labourers in husbandrie. *HP. 5. Eliz. 4.*
- Threshers.** 2 Threshers wages. Seruants shall be swozne twice in the yeare before Stewards, Constables, &c. to obserue this Statute. None shall goe out of the town in Summer, where he dwelt in Winter, if he may haue seruice, saving that people of senerall shires and places may in August labour in other countries, and returne. And the offender shall be committed to the stocks, or the next Gaole. *HP. 5. Eliz. 4.*
- Carpenters.** 3 The day wages of Carpenters, Masons, Tilers, and other Workmen of houses, and of their seruants. *HP. 5. Eliz. 4.*
- Shoemakers.** 4 Shoemakers shall sell Shooes and Bootes as they were wont. *HP. 5. Elizabeth. 8.*
- Labourers swozne.** 5 Artificers, Labourers, and seruants, shalbe swozne before the Iustices, to do and vs their crafts and offices as they had wont to do. *HP. 5. Eliz. 4.*

6 Justices of Assise shall enquire of and punish the offenders of this Statute: and such Sheriffs, Bailiffs, and Constables, which doe not present them, and Hostellers, Herbergers, and sellers of viuals, offending. EP. 5. Eliz. 4.

7 Sheriffs, Constables, Bailiffs, Gaolers, or other Ministers, shall not exact any thing of the said servants.

8 The Justices Sessions shall be kept foure times in the yeare, viz. at etc. Sessions. AL. 2. H. 5. 4. Servants which flee from one county to another, shall be committed to prison. EP. 5. Eliz. 4. Fugitive servants.

¶ 1 A Statute made at Westminster Octabis Purificationis, Anno 25. Ed. 3. & Anno Dom. 1350. Of those which be bozne beyond the Sea. AB. A-bozne. billic 1. 2. Forreines.

A Statute for the Clergie made at Westminster

13. die Januarij, Anno 25. Ed. 3. & Anno Dom.

1350.

¶ 1 All privileges granted to the Clergie, confirmed. The King nor his Presentment. heires shall present to a Benefice of anothers right, of any time of his progenitors. EP.

2 A Statute made Anno 14. Ed. 3. 2. touching the kings presentment to a Presentment. Church in anothers right, repealed.

13. R. 2. 1.
4. H. 4. 22.

3 When the king maketh presentation or collation to a Benefice in anothers right, his title shall be examined. AB. Incumbent 1.

4 All Clerkes Secular and Religious, which shall be convicted before the Clerks count kings Justices for any Treasons or Felonies, touching other persons, saving the king himselfe, or his royall Heiress, shall be delivered to their Ordinaries. AL. 18. Eliz. 6.

5 A Clerke shall be arraigned of all his offences at once, and not remaine arraignmented to the Gaole. AL. 8. Eliz. 4. & 18. Eliz. 6.

14. Ed. 3. 3.

6 A Bishops Temporalities shall not be seised for a Contempt, but he shall make a reasonable fine. AB. Bishops 9. Temporalities.

7 The Ordinarie may counterplead the kings title for a Benefice fallen by lapse. AB. Lapse 1.

8 Cognisance of avoidance of Benefices appertaineth to the Ecclesiasticall Benefices. Judge. AB. Ecclesiasticall 5.

9 Indictments of extortion by Ordinaries, or their Ministers, must be certified. AB. Ordinarie 2.

A Statute of Clothes made Anno 25. Ed. 3. &

Anno Domini 1350.

¶ 1 Clothes shall be measured by the kings Aulnager, and his deputies, Cloth. who shall be sworn to execute the office well. The penaltie if he be found in default, or the cloth defectue. The length and breadth of cloth shall be according to the Statute of 2. Ed. 3. 14. AB. Draperie 84.

9. Ed. 3. 7.
2. R. 2. 1.
16. R. 2. 1.

2 Merchant strangers and Denizens may buy and sell any merchandizes Merchants. in this Realme without interruption. AB. Marchants 1.

3 Forfeallers of wines, viuals, wares, and merchandizes, being thereof forfeitallers. attainted, shall forfeit the things forfeitall, if the buyer hath made grace to the seller: if not, but by earnest, the buyer shall forfeit so much as the goods forfeitall amount unto, after the value as he bought them, if he have whercof: 22

King Edward the third.

Else shalbe two yeares imprisoned, and more at the kings pleasure. AL 5.E.
6.14. touching the penaltie.

weares.

4 Few weares shall be pulled downe, and not repaired. AB. Weares 2. 45. Ed. 3. 1.

The Statute of Purveyors made at Westminster 13.

die Januarij, Anno 25. Ed. 3. & Anno Dom. 1350.

- Purveyors.** ¶ 1 By what measure the kings Purveyors shall take coyne. Victuals & things purveyed shalbe praised, & tallies made thereof. AB. Purveyors 16. 17. 5. Ed. 3. 2. 10. Ed. 3. 1.
- Treason.** 2 A declaration (to end the diversitie of opinions) which offences shall be adjudged high treason, and which petit treason. AB. Treason 1. 7.
- Indictor.** 3 No indictor shalbe put upon y^e Enquest of the party indicted. AB. Jurors 3.
- Suggestion.** 4 None shalbe condemned by suggestion, without lawfull presentment. AB. Accusation 1. 28. Ed. 3. 3. 42. Ed. 3. 3.
- Executors.** 5 Executors of Executors shall in some cases have the same benefit, and charge that the first Testator should have had. AB. Executors 2.
- Purveyors.** 6 The penaltie of a Purveyor that taketh timber in, or about any mans house. AB. Purveyors 3.
- Foresters.** 7 No keeper of Forest or Chase shall gather any thing by colour of his office, without the owners good will, but that which is due.
- Armed men.** 8 No man shalbe bound to find men of Armes, but by Tenure or graunt in Parliament. AB. Captaines 14. 1. Ed. 3. 5. 4. H. 4. 13.
- Facial weight.** 9 Auncel weight shal be excluded, and weighing shall be by equall balance. AB. Weights 14. 34. Ed. 3. 5. 27. Ed. 3. 10.
- Measures.** 10 Every measure shalbe according to the kings standard. And shalbe stricken without heape, saving the rents and farmes of Lords. AB. Weights 11. 34. Ed. 3. 6.
- Aid.** 11 Aid to make the kings sonne knight, or to marie his daughter. AB. Aid &c. 1. 3. Ed. 1. 35.
- Money.** 12 No person shall take profit of exchanging gold for silver, or silver for gold (but the Kings Exchangers) upon paine of forfeiture of the same. AB. Money 1. 5. Ed. 6. 19. 9. H. 5. 11.
- Money.** 13 The money of gold and silver which now runneth, shal not be impaired in weight or alloy.
- Indicted.** 14 What Procees shalbe awarded against the parties which is indicted of felony. AB. Indictments 5.
- Sheepe.** 15 The penaltie of a Purveyor which taketh more sheepe in the wool for the kings house than be needfull, betwene Easter and the feast of S. John Baptist. AB. Purveyors 9.
- Fontenure.** 16 The exception of Fontenure of parcell shall not abate the whole writ. AB. Fontenure 1.
- Exigent.** 17 Procees of Exigent shalbe awarded in Debt, Detinue, and Replevin. AB. Exigent 1.
- Villanage.** 18 Villanage may be pleaded, and a villaine seised, notwithstanding a Libertate probanda be depending. AB. Villanage 1.
- Protection.** 19 By the kings Protection the parties suit shall not be hindered, but his execution. AB. Protection 1.
- Money.** 20 Plate of gold and silver shalbe received into the kings Mint by weight, and so shall the money be returned, and not by number. AB. Money 8.
- Butler.** 21 The Kings Butler shall take no more wines than shalbe appointed him. AB. Butler &c. 1. 43. Ed. 3. 3.
- Provision.** 22 Every man that purchaseth provisions of Abbies or Priories, he, his executors & procurators, which do sue & make execution of such provisions, shalbe out

out of the kings protection, and a man may doe with them as with enemies of the king and the realme. And he that offendeth against them in bodie, or gods shall be excused against all people.

23 The debt of a Lombard lying out of the Realme without agrément, Lombard. with his Transors, shalbe answered by the Companie of the Lombards. CE.

¶ 1 The Statute of Prouisors of Benefices, made An. 25. Ed. 3. & An. Prouisors. Dom. 1350. The king and other Lords shall make Collation and Presentati- on unto Benefices, of their owne, or their auncessors foundation, and not the Bishop of Rome to Aliens, or any of his Prouisors.

¶ 1 The Statute of the forme of leuying of the Tenths and Fifteens, which the Commons graunted to the King, made Anno 25. Ed. 3. The King graunteth to the Commons in aid of the same Dine and Quinzin, all the Issues, Fines, Forfeitures, Amerciements, and other profits, which be or shall be leued or taken of Labourers, Artificers, Regrators, Vintallers, Wo- stlers, Workmen, and Seruants, as fully as is contained in the last Par- liament. And Commissions shall be awarded to certaine people of euery coun- tie to leue the same. EP.

A Statute of Prouisors made at Westminster

26. die Septembris, Anno 27. Ed. 3. & An.

Dom. 1353.

¶ 1 He shall incurre the penaltie of Præmunire which steth in a sovraine Præmunire. Realme: or impeacheth Judgements given in the Kings Court. AB. Præmu- nire 1.

2 In euerie Pardon of Felonie the suggestion and the suggestors name Pardon. shall be comprised. AB. Pardon 2.

3 Commissions shalbe awarded to Iustices learned in the law, to inquire Commissions. of the outrages of Hostlers, Regrators, Labourers, &c. and to punish them, and to doe right to the king and his people. EP.

4 The Aulnagers tie of euerie cloth and halfe cloth sold. Clothes put to sale before they be sealed, shalbe forfeited. AB. Draperie 92. A Subsidie granted to the King of euerie cloth to be sold. EP.

5 If any English Merchant shall ingrosse or soze all Gascoine wines, or buy them of a Gascoine, to pay in England more than they be sold for in Gas- roine, he shall lose life, member, the wines, and all his goods and cattels. EP. for felonis 37. Ed. 3. 16.

43. Ed. 3. 3.

6 All Merchant strangers may bring wines into England, to what Port they will, and make thereof their benefit, so that the Kings Butlet make pur- ueyance of them when need is, paying therefore within 40. dayes.

7 It is felonie for any English Merchant, his seruant, or other for him, to lye in Gascoyne to buy wines, sauing in the Vintage time, and then but in the Ports of Bourdeaux and Baion. EP. 37. Ed. 3. 16.

18. H. 6. 17.

2. R. 3. 13:

8 All red and white wines that shalbe brought into England, Wales, or Ireland, to be sold, shall be gauged by the kings Gaueors, or their deputies. And if any will not suffer them to be gauged, he shall forfeit the wines. And if default be found in the Gaueor, that he or his deputie be not ready to execute his office when he shalbe required, or therein commit fraud, or deceit, to the da- mage of the buyer or seller, he shall pay to the party grieved his treble dama- ges, lose his office, and be imprisoned, and ransomed at the kings pleasure. AL. 28. H. 8. 14. for the penaltie. AB. Wines 14.

23. H. 6. 16.

The

King Edward the third.

The Statute of the Staple made at Westminster 26.

die Septembris, Anno 27. Ed. 3. & Anno Domini 1353.

**Staple
Townes.**

¶ 1 The Staple of Wools, Leather, Woolfels, and Lead, shall be holden for England at Newcastle upon Tyne, York, Lincoln, Norwich, Westminster, Canterbury, Leicester, Winchester, Exeter, and Bristol: for Wales at Carmarthen: and for Ireland, at Dublin, Waterford, Cork, and Droghda, and not elsewhere. And all the Wools, Woolfels, Leather, and Lead, bought forth of the said Realms, shall first be carried thither, & shall be weighed there by the Standard. And everie Sarpler of wool so weighed shall be sealed with the seale of the Mayor of the Staple: and after shall be carried to several Port Townes, and there againe weighed by the Customers. An Indenture shall be made betwene the Mayor of the Staple, and the Customers of all the wools, woolfels, leather, and lead, which shall be brought to the Staple. There shall be paid to the king for custome, by Denizens, of a sacke of wool, halfe a marke, of 300. woolfels halfe a marke, of a last of leather a marke, for that they have passed. And by Aliens, for a sacke of wool 1. s. for 300. woolfels 1. s. for a last of leather 11. s. and for everie sol of lead 11. d. And then the same Marchandizes shall be caried by the Marchants strangers which bought them, to any parts beyond the sea, where they please, and not by Englishmen, Welshmen, nor Irishmen. And the said Mayor and Customers shall take an oath of all the said Marchants strangers, that they shall hold no Staple beyond the sea of the same marchandise.

**Marchant
strangers.**

¶ 2 All Marchants strangers (being no enemies) shall freely with their marchandizes resort into this Realme, and dwell therein, and returne with their marchandizes at their pleasures. And nothing shall be taken of them against their wills, but the kings customes.

**Wool that not
be transported
by the Eng-
lishmen, &c.**

¶ 3 All Marchants as well Aliens as Denizens may buy wools, fells, leather, and lead, through the kings dominions, so that they bring them to the Staples. It shall be felonye for any English, Welsh, or Irish Marchant, to carrie any wools, fells, leather, or lead, out of the said Realms: or by covin to procure any Marchant Alien to carrie the same under his owne name: or to send or keepe a servant or Atturney beyond the sea, to surney the sale of the said wools, &c. or to receive money comming by the sale thereof: or to take money or marchandise out of the Realme, for marchandizes sold in the Staple. **¶ 38. Ed. 3. 6. for the felonye.**

**No purney-
ance in the
Staple.
A carrier.**

¶ 4 None going unto, or returning from the Staple, shall be disturbed by the kings Purveyors, nor any other. Neither shall any of their goods or carriages be taken. And everie carrier returning from the Staple, shall have a Bill under the seale of the Mayor of the Staple, testifying that he serveth the Staple.

**Cognisance
taken.**

¶ 5 None of the Justices of the Kings Bench, Common Bench, in Cite, or of Assise, nor other Justices, shall take cognisance of those things that belong to the Staple.

**No Officer
shall meddle.**

¶ 6 No Marshall or other of the Kings Officers shall meddle in the places where the Staples be holden, nor enter into any house to execute their offices.

Licence.

¶ 7 If any Licence shall be granted to any English, Welsh, or Irishman, to carrie wools, fells, leather, or lead, forth of the Realme, the same shall be void.

8 The Mayor and Constables of the Staples shall have jurisdiction and cognisance within the Townes where the Staples be, of people, and things touching the Staple. All Marchants and their people of the Staple shall be ruled by the Law Marchant, of all things touching the Staple, and not by the Common Law, nor by customes of Cities or Townes. They shall not implead or be impleaded before the Justices of the Bench in plea of Debt, Covenant, or Trespasse, touching the Staple: but shall implead all persons, as well not of the Staple, as of the Staple, which shall be found there. And they shall be impleaded before the Mayor and Justices of the Staple, of all pleas and actions whereof the cognisance pertaineth to the Officers of the Staple. All contracts and covenants made betwixt Marchant and Marchant, or other, whereof the one partie is a Marchant, or minister of the Staple, whether the same be made within the Staple or without, and also of Trepasses done within the Staple to Marchants or ministers: by other, or by any of them to other, the plaintiffe shall chuse whether he will sue his action before the Justices of the Staple, by the law of the Staple, or in other place at the Common Law. But in pleas touching any of the kings house, the latepach or his Lieutenant, and the Marchants of the same house, shall be within the Mayor of the Staple, to see that right be done to the parties, if they will be there. And Pleas of land and freehold shall be at the Common Law. And if Marchants or their people being in the Staple, doe commit Felonie, as he laine, robbed, or injured by any persons, the Mayor of the Staple, and other sufficient Justices shall be assigned to hear and determine the same Felonies and Forfeitures within the Staple, according to the Common Law. And if a trial be to be made before the Mayor of the Staple, betwene two strangers, the Enquest shall be of strangers: And if both parties be Denizens, the trial shall be by Denizens: And if the one partie be a Denizen, and the other an Alien, halfe the Enquest or juries shall be of Denizens, and the other of Aliens. AL. 36. Edw. 3. 7. touching bearing and determining of Felonies.

Jurisdiction of the Staple.

Pleas of land.

Felonies committed within the Staple.

Trials in the Staple.

Recognisance

weight and measure.

Forfeitting.

Scotland.

Robbed on the sea.

Money.

Indentures.

28. Ed. 3. 13.
8. H. 6. 29.

35. R. 2. 9.

2. H. 3. 25.
2. H. 1. 8.
11. H. 7. 4.

9 The forme and effect of a Recognisance for the recoverie of debts, acknowledged before the Mayor and Constables of the Staple. AB. Statutes.

10 There shall be one weight, one measure, and one yard, through all the land, as well out of the Staple as within. And weighing shall be by equall ballance. AB. Weights 1. 14.

11 It shall be felonie to forfeit all, burg, or give earnest for any merchandizes, before they come to the Staple, or to the Port where they shall be discharged, or to goe into the ship for that cause.

12 It shall be felonie to sell wools, fells, or leather, to any Scottish man, or to be caried into Scotland.

13 Marchants robbed on the sea of their goods, which be brought after into the kings dominions, shall have remedie to recover them: and so shall they have, where the ship breaking upon the sea, their goods be cast upon land.

14 Marchants may bring in gold or silver in money, or bullion to the kings Exchanges, and carrie so: as much new money, but no old sterling.

15 Indentures shall be made betwene carriers of wools, fells, leather, and lead, to the Staple by fresh waters, or by armes of the sea, and the Bailiffs of Townes where they load them in ship. And also the said Bailiffs shall take oaths and sufficient suretie of them, and the Marchants, that they shall carie the said merchandize to the Staple, and discharge them there before they enter the sea, otherwise it shall be felonie in all the said parties.

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- The rent of houses.** 16 In every towne where the Staple shall be, houses shall be let at a reasonable rent, according to the ordinance of the Mayor & Constables of the Staple, and of four discreet men of the best of the same towne, who shall be sworn to make a lawfull rate.
- Another's debt.** 17 A Merchant stranger shall not be impeached for another's trespass, or debt, whereof he is not debtor, pledge, or mainpernor, saving in case of the law of Marque: Merchants of enemies countries shall have convenient time by Proclamation to sell their goods, and to depart.
- Marque.** 18 The people of Ireland and Wales may bring their wools, fells, leather, and lead, after they be customed and cocketed there, to any of the Staples of England, and not pay thereto any other custome or subsidy. And if they convey them to any other place it shall be felony.
- Ireland. Wales.** 19 Paris shall lose his goods by the offence of his servant, unless he do it by the Masters commandment. Paris justice shall come to Merchants from day to day, and from house to house.
- Servants.** 20 Because Merchant strangers be taken into the kings protection, they shall have present justice for any grievance done to them in the country out of the Staple. And for the said wrongs the Merchants shall recover double damages, and the king shall have as much.
- Speedie in law.** 21 In every towne where the Staple is ordained, there shall be a Mayor, chosen ecclesiasticke yere by the Communitie of Merchants, as well strangers as denizens, and also two Constables, which Mayor & Constables shall have power to keepe the peace, and to arrest offenders in the Staples for debt, trespass, or other contract, and to imprison & punish them after the law of the Staple. And other officers in the same townes, or more therunto adjoining, shall attend and assisting unto them, to redresse any thing awry there.
- Mayor & two Constables.** 22 In every place where the Staple shall be kept, there shall be a certain number of Corrotoys, as well of strangers as of priores, to make & record bargaines betwene buyers & sellers. But they shall meddle with no marchandise, so long as they continue in that office.
- Corrotoys.** 23 The Mayor and Constables of the Staples shall be sworn in the Chancery to do that which pertaineth to them. And all porters, packers, twiners, workers, & other labourers of wools, and all Corrotoys and other officers of the Staple shall be sworn before the Mayor to execute their offices without fraud. And all Merchants Aliens, & denizens comming to the Staples, shall be sworn before the Mayor & Constables, to be iustified by them, & to maintaine the Staple, and the lawes and customes of the same.
- Officers othes.** 24 Two Merchants aliens shall be chosen by aliens to be associat to the Mayor and Constables of the Staple, to see that justice be done to Merchants aliens. And if any question shall rise betwene them, the tenor thereof shall be sent to the Chancellor of England and the Kings Counsel, to be presently determined. And two Englishmen, two of Lombardie, & two of Almaine, shall be chosen to be Mediators of questions betwene sellers and buyers.
- Associats.** 25 If any Merchant or other shall make any confederacie, conspiracie, or euill device, which may turne to the disturbance or defeating of the Staples, or any thing pertaining unto them, it shall be felony.
- Mediators.** 26 Credit shall be given to the letters of the owners of merchandizes brought into this Realme, testifying the value of the same merchandizes: Or else to their othes.
- Confederacie.** 27 They which contrarie to the Proclamation have caried their wools, fells, or leather, beyond the sea, before this Statute made, shall forgo the same, and all their other goods, and be ransomed at the kings pleasure.
- The value.**
- Offences before this Stat.**

28 A Confirmation of the Liberties of the Staple, notwithstanding other mens franchises, and yet saving all mens rights in faires, Markets, Fairs, Dives, Leets, &c. Liberties confirmed.

¶ 1 An ordinance of the fees of the Paioys and Constables of the Staple, made Anno 27 Ed. 3. The Paioy of the Staple at Westminster shall have perely for his fee C. l. And either of the Constables there ten marks. The Paioy of Wight, Kingston upon Hull, Norwich, and Winchester, everie of them shall have xx. l. and everie of the Constables of the said places C. s. The Paioys of Newcastle upon Tyne, Chichester, and Crutche, shall have x. l. and everie of the Constables there five marks. And if any of the Paioys and Constables above named refuse the office, he shall pay to the Companie so much as his fee shall amount unto. Paioys and Constables fees.

Statutes made at Westminster 28. die Aprilis, Anno 28.

Ed. 3. Anno Domini 1354.

- ¶ 1 A Confirmation of all the Statutes made and used. Confirmation
- 2 Lords of the Marches of Wales shall bee attending to the Croton of England, and not to the Principallitie of Wales. AB. Wales 1. L. Marchers
- 3 No man shall be misseised of his land, imprisoned, nor condemned, without his answer. AB. Accusation 1. Justice
- 4 How Escheatours and others shall answer the king the mesne Rates of those lands which were taken into his hands by the death of his tenant. AB. Lieuerie 13. Rates.
- 5 No yron shall be carried south of the Realme. AB. Iron 9. Iron.
- 6 Who shall be Coroners, and by whom, and where they shall be chosen. AB. Coroners 1. Coroners.
- 7 No man shall be Sherife above one yere. AB. Sherifes 4. Sherife.
- 8 A writ of Attaint shall be granted as well upon a Bill, as upon a writ of Trespas. AB. Attaint 22. Treas.
- 9 No writ of Committion shall be directed to a Sherife, to charge an Enquest to indite any. Inditment
- 10 The Paioy, Sherifes and Aldermen of London, shall punish & redress errors, defaults, & mispissions, notoriously blam in the said city, wch pain to be feitt to the king the first time 1000. marks, at the second time 2000. marks, & at the third time the liberties of the cite. And this shall extend to all Cities and Boroughes where such defaults be used, and not corrected. AL. 1. H. 4. 15. Disorders in London.
- 11 Fresh suit shall be made after robbers from towne to towne, and from freshuit country to country. AB. Huy & Cric 1. Freshuit.
- 12 Purveyances made to the kings use under xx. s. shall be presently paid for, and all above within a quarter of a yere. AL. 2. H. 4. 14. 20. H. 6. 8. Purveyance.
- 13 The warrantie of packing of wools shall be wholly put out. An Enquest shall be de medietate linguæ, where an Alien is partie. AB. Iurors 29. No foz Trials.
- 14 Wools shall be shewed at the Staple every day in the week, saving Sunday, & solenne feasts. But it shall be felonie to shew it in any other place within three miles of the Staple, saving that every man may shew and sell his wool of his owne granting in his house, or elsewhere. Shewing of Wools.
- 15 The Staple of Westminster shall begin his bound at Temple Barre, and extend to Tophill. In other cities & townes the bounds of the staples shall be within the walls: And in cities & townes not walled, the bounds shall be through all the cite or towne. Bounds of the Staple.

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Statutes made at Westminster 22. die Aprilis, Anno

31. Ed. 3. & Anno Domini 1357.

- Confirmation** ¶ 1 The great Charter, and the Charter of the Forest, shall be observed and executed.
- Weights.** 2 No Wools shall be bought by fraud to abate the prices of them. Balances and Weights according to the Standard of the Exchequer shall be sent to all Sheriffs: And other mens shall be made according to them. AL. 11. H. 7. 4.
- Escheits.** 3 A man charged by Escheits with detaining of felons goods, layeth the fault in another. AB. Escheits 3.
- Extortion.** 4 Extortion in Bishops Officers for procuring of Testaments. AL. 21. 3. H. 5. 8. H. 8. 5.
- Wine.** 5 The contents of a Tunne of Wine. A bevell of Wine sold ungauged shall be forfeit to the king. AB. Wines 13. 18. H. 6. 17. 1. R. 3. 13. 18. H. 8. 14.
- Labourers.** 6 The Lords of Franchises which have the same by Charter, shall have the issues, fines, and amerciaments of Labourers, forfeited. HP.
- Labourers.** 7 The Statute of Labourers shall be of force in London, and elsewhere. HP. 5. Eliz. 4.
- Refuse Wool.** 8 There shall be no refuse of wools, but of cot, garreine, and villaine fleeces. AB. Wools 10. 13. R. 2. 9. All wools, fells, and leather, bought in the countrey, shall be brought to the Staple, and shall remaine there 10. dayes at the least: And those which cannot be sold there within that time, shall be carried to the Ports ordained for the Staples, to be carried over. CE.
- Transporting** 9 The Kings Councell upon cause may deferre the transporting of wools. AB. Wools 11.
- Witchers.** 10 Who may rule or reforme the defaults of Witchalers in London. AB. 7. R. 2. 12. Viduals 1.
- Administration.** 11 Who may commit the Administration of the goods of him which dyeth intestate. The benefit and charge of the Administration. AB. Administrators 1. 21. H. 8. 5.
- Error.** 12 The Lord Chancellor and Treasurer shall examine complaints of erroneous Judgements given in the Exchequer. AB. Errors 1. 31. Eliz. 1.
- Pardon.** 13 The kings pardon to the commons of the escapes of felons, and their goods not escheited, and amerciaments not affected. And a sistene granted to the king in regard thereof. HP.
- Escapes.** 14 Escapes of felons, and cattels of felons and fugitives, and Escapes of Clerkes committe, shall be levied as they shall fall. AB. Escape 1.
- Turne.** 15 At what time the Sheriff shall hold his Turne. AB. Turne 1. 9. H. 3. 35.

The Statute of Herrings made at Westminster 22.

die Aprilis, Anno 31. Ed. 3. Anno Domini 1357.

- Sale of Herrings.** ¶ 1 Herrings shall not be sold or bought on the sea: and at what time they shall be sold and bought. AB. Fish &c. 16.
- Parmouth Fair.** 2 The order and time of buying and selling of Herring at the Fair of great Parmouth. The hundred of Herrings shall be accounted by six score, and the last by ten thousand. The Wardens of the Cinque Ports shall govern the

the faire of great Parimouth, according to a composition made between them, and confirmed by king Edw. 1. R.

3 The Chaucelour and Treasorer taking to them the Justices, and other of the kings Councell, may take order for the buying and selling of stockfish Orders for sale of fish. of S. Botolph, Salmon of Warwick, and of wines and fish, that the king and people may be better served then they have bene. CB.

¶ 1 Another Statute for fish made the same Anno. 31. Ed. 3. The Ships called Doggers and lann-ships of the Haven of Blackney, shall discharge their fish within the same Haven, only betwene Benesse and Dogherte, upon paine of imprisonment at the kings pleasure, and forfeiture of the same fish. None of the same fish shall be carried forth of the Ship, untill the owner of the Ship and the Merchant shall be agreed of the price by chere day. R. Blackney Haven.

2 Loch-fish shall be chosen or tried but in three parts, viz. Lob, Ling, & Cod: Lochfish. and what part thereof the Masters of the Ships, & what part the Mariners shall have. At the beginning of Blackney faire a price shall be set of Dogfish, Blackney which shall hold during the faire. Noe man shall buy nets, hooks, or other instruments pertaining to fishing in Norfolk, but owners, Masters, and fishing companies of Ships that use fishing, upon paine of imprisonment, to be ranis: gings. met at the kings pleasure, and to forfeit the things so bought. CB.

Statutes made at Westminster 23. die Januarij,

Anno 34. Edw. 3. & Anno Dom. 1360.

- ¶ 1 Who shall be Justices of peace, and what authoritie they shall have. Justice of peace. AB. Justices. &c. 1. 18.
- 2 There shall be no purveiance made but for the king, Quene, and Kings eldest sonne. AL. 23. H. 6. 14. Purveiance.
- 3 For small things purveied for the Quene and the Prince, payment shall be presently made, & for greater things within a moneth or by weeks. CB. Purveiance.
- 4 What sort of people shall be returned upon every Jurie. AB. Juries 1. Juries.
- 5 Auncell twaight shall be put out. Buying and selling shall be by equall baillance. AB. Weights. 14. weights.
- 6 All measures, viz. a Bushell, halfe Bushell, Peck, Gallon, Bottell, and Quart, shall be according to the kings Standard. And every measure shall be stricken without heape, saving the termes of Lords. AB. Weights 1. Measures.
- 7 An Attaint will lie as well in plea reall, as personall. AB. Attaint 12. And it shall be graunted to the poore without fine, and to others upon easie fine. Attaint.
- 8 A Juror taking reward to give his verdict shall be one yere imprisoned, and make fine. AL. 38. Ed. 3. 12. Touching the penalte. Juror.
- 9 Lords of towines may imprison Carpenters, Masons, & other labourers, servants, & Artificers xv. dayes, if they will not be iustified, & then commit them to the next Gaole, untill they will iustifie themselves. EP. 5. El. 4. Labourers.
- 10 Labourers and Artificers departing from their service into another countrie after a Capias, Exigent, and Outlawie awarded against them, shall be burned in the forehead with the letter F. EP. 5. El. 4. Labourers fugitive.
- 11 If a Labourer, servant, or Artificer doe depart to a Citie or Borough, upon request the Mayor or Bailiffs shall deliver him, upon paine to pay to the king ten pounds, and to the partie 100. shillings. EP. 5. El. 4. Fugitive.
- 12 There shall be no forfeiture for Treason of dead persons not attainted. Forfeiture. et. AB. Forfeiture 3.
- 13 By what sort of people, in what place, and in what manner an Escheator shall take his Enquests. AB. Escheator 9. Escheator.

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- Trauerse.** 14 Trauerse of Offices found befoze Eschetors vpon alienation oꝝ death of the Kings tenant, shalbe tried in the Kings Bench. AB. Trauerse 1.
- Tenures.** 15 Those alienations which the tenants of King Henry the 3. and other Kings befoze him did make to hold of themselves, confirmed. But the Kings Prerogative shall be saued foꝝ his Graundfathers, his Fathers, and his owne time. S. 13. Ed. 1. Q. Emp. terrarum.
- Non claime.** 16 Non-claime of fines shall hereafter be no Barre.
- Ireland.** 17 All Merchants, Aliens and Denizens, may come into Ireland with their Merchandise and Witailes, without fine, oꝝ ransome, and so depart, sauing to the King his auntient customes and duties.
- Ireland.** 18 People as well religious as others, which haue their inheritance and possessions in Ireland, may carrie their Coyne, Cattell, and Witaile into Ireland, and bryng them againe into England, paying to the King their customes.
- Custome.** 19 No Custome oꝝ Subsidie shall be paid foꝝ Cannas to pack wooll in. AB. Custome 10.
- Coyne.** 20 A restraint of transporting of Coyne, vntesse it be to Calice oꝝ Calcoine. EP.
- Confirmation** 21 A confirmation of a libertie graunted by a former Proclamation to Denizens to carrie wooll ouer the Sea. EP.
- Hawke.** 22 How he shall vse a Hawke that taket h it vp. AB. Hawkes 2. 37. Ed. 1. 3. 9
- Herring.** ¶ 1 The Ordinance of Herring made Anno 35. Ed. 3. and Anno Dom. 1360. All persons may buy Herring in the faire time at great Parnouth openly, and not priuily, at such pꝛices as shall be agreed vpon. No man shall enter into a bargaine of Herring vntill the first Chapman hath done with it, neither shall any man increase in pꝛice vpon an other, vpon paine to forfeit to the King the double of his proffer.
- Statutes made at Westminster Quindena Michaelis,**
Anno 36. Ed. 3. & Anno Dom. 1362.
- Confirmation and other Statutes.** ¶ 1 A Confirmation of the great Charter, the Charter of the Forrest, and other Statutes.
- Purueiance.** 2 No Purueiance shall be made but foꝝ the King and Quene, foꝝ the which readie payment shall be made as it may be sold in the Market. The name of Purueioꝝ changed into buyer. Things purueied shall be appraised. 23. H. 6. 14. 4. Ed. 3. 3. 25. Ed. 3. 1.
- Purueioꝝ.** AB. Purueioꝝ 1. 16. 17. 20.
- 3 The penaltie of a Purueioꝝ which shall receiue a reward to spare one, oꝝ to charge an other. AB. Purueioꝝ. 14.
- Commissions.** 4 Commissions shall be awarded to inquire of Purueioꝝ behaniouꝝ. AB. Purueioꝝ 18.
- Purueioꝝ.** 5 None shall keepe any moze Horses foꝝ the King then be assigned vnto him. None of the Kings house shall take but by the consent of the owners, and shall pay therfoꝝe readie money. AB. Purueioꝝ 17. 28. E. 1.
- Chatoꝝ.** 6 No Subjects Chatoꝝ shall take any thing against the owners consent. 7. R. 2. 8. 23. H. 6. 14. AB. purueioꝝ 1.
- Jurisdiction of the Staple.** 7 The Maiors and Constables of the Staple shall haue consaunce only of Debts, Couenants, and Contracts, and of all other pleas touching Merchandise betwene Merchants knowen, (but not offelons.) Merchants Aliens may sue befoze the Maiors of the Staple, oꝝ at the common Law. 27. Ed. 3. 8.
- Chapleins.** 8 No man shall giue to a Parish Priest foꝝ his yeares wages aboue ij. l.

19. E. 3. s. viij. 8. a2 els his board and xxvj. s. viij. 8. upon payne to pay as much to the King. AL. 2. H. 5. 2.
- 9 Whosoever findeth himselfe grieved with any of the aforesaid, or other Chancerie Statutes, shall have his remedy in the Chancerie. EP.
4. Ed. 3. 14. 10 A Parliament shall be holden once every years. AB. Parliament. 1. Parliament.
27. Ed. 3. 3. 11 No Subsidie or other charge shall be imposed upon wools by any with- out assent of Parliament. Merchants Denizens may passe with their wools, as well as forreines. wools.
- 12 Justices of Peace shall yearly keepe foure Quarter Sessions, at the daies and times of etc. AL. 2. H. 5. 4. for the times. Q. Sessions.
28. Ed. 1. 18. 13 An Escheator shall have no fee, nor commit wast in wards lands. AB. Escheator. Wards 23. Lands seized upon an Enquest taken before an Escheator shall be letten to farme to him which tendereth a Trauerse. AB. Patents 26.
8. H. 6. 16. 14 The fines and amerciaments of Artificers, Labourers, and servants, shall be to the use of the Commons, and distributed betwene them. EP. fines.
1. H. 8. 10. 15 Pleas shall not be pleaded in the French tongue, as they have been, but in the English: And they shall be inrolled in Latin. AB. Pleading 1. Pleading.
- 16 The Kings Pardon of diuers offences. And Charters of pardon shall be made to all the Counties of England, and to all severall persons that will demaunde the same, without making fine, or paying for the Seale. EP. Pardon.

Statutes made at Westminster Octabis Sancti Michaelis, Anno 37. Ed. 3. & Anno Domini 1363.

- ¶ 1 The great Charter, the Charter of the Foress, and other Statutes Confirmation shall be observed.
9. H. 6. 4. 2 Idempnitare nominis shall be graunted upon the wrongfull seizure of an other mans lands or goods. AB. Sherifes 23. Idempnitare nominis.
- 3 The severall prices of a Capon, henne, pullet, & gowse. CB. Poultry.
- 4 A Clerke of the Remembrance of the Eschequer shall be assigned to sit together with the Clerks of the Pipe, etc. AB. Eschequer 1. Eschequer.
- 5 Merchants shall not ingrosse merchandizes to enhance the prices, nor use but on sort of merchandize. EP. 38. Ed. 3. 2. Merchants.
- 6 Handycraftsmen shall use but one Pisserie, upon paine of halfe a yerkes imprisonment and fine. But women may use severall workes. EP. 5. Eliz. One occupa- tion.
4. Q. 7 Goldsmiths shall make their workes of good sterling. Every Goldsmith master shall have a marke. Some shall make white vessel and gilt. AB. Gold &c. 8. Goldsmiths.
8. 9. 10. 11. 12. 13. 14. 15. The diet and apperell of servants, and the appa- rel of gentlemen, Esquiers, Knights, Merchants, Citizens, Burgesses, Clerks, Carriers, Ploughmen, Shepherds, Dairymen, etc. And the prices of their severall garments by the yard or in the whole. Clothiers shall make clothes sufficient of the said prices. And Dyapers shall buy and purvey them. And for default of such clothes this statute shall not be infringed. EP. 24. H. 8. 13. Apperell.
- 16 A Repeale of so much of the Statute of 27. E. 3. 5. & 7. as doeth make the offences therein specified touching Willes felonie. Enquiries shall be made yearly in Gascoyne of the Couchars of England, which lie there, to buy wines in the vintage time contrarie to the Statute of 27. Ed. 3. 7. CB. Willes.
- 17 In what case a waje shall not be abated by exception of cognizance of villenage. AB. Villenage 3. Villenage.

King Edward the third.

- Suggestion.** 18 The order of pursuing a Suggestion made to the King. AB. Suggesti. 38.Ed.3.9.
on 1.
Hauke. 19 How each shall use a Hauke that he taketh vp. AB. Haukes 2. 34.Ed.3.11.

Statutes made at Westminster Octabis Hillarij,

Anno 38.Edw.3. & Anno Dom. 1363.

- Confirmatio.** ¶ 1 The great Charter, the Charter of the Forrejt, and other Statutes shall be obserued.
- Merchandise.** 2 All Merchants may buy all maner of Merchandises, and carrie them
Gold, Siluer. whether they will: saving that English Merchants shall not transport wools and felles. None shall carrie out of the Realme Gold or Siluer, but the victuallers of fish. 27.Ed.3.3.
9.Ed.3.1.
3.R.1.1.
- Fines.** 3 Fines to be taken before Justices shall be in the presence of Pledges, and the Pledges shall know the summe of their fine before their departing.
- Bonds.** 4 Penall bonds in the third person shall be void. Q. if in the Courts out of the Realme.
- Wager.** 5 Any man may wage his law against a Londoners papers. AB. Wager 2. 7.Iac.12.
- Transport wools.** 6 A Repeal of so much of the Statute of 27.Ed.3.3. as maketh it felonie for any English man to carrie over the Sea wools, fells, or leather, and a confirmation of the residue of the said Statute.
- Staple.** 7 The Staple shall be in England. A Confirmation of the Statute of the Staple made Anno 27.Ed.3. with the Declarations, Additions, and Modifications thereof: notwithstanding any Licences, or that Statute &c.
- Customs.** 8 A ship must not be lost for a small thing therein not customed. AB. Customs 10.
- Suggestion.** 9 The punishment of him which proueth not his suggestion made to the King. AB. Suggestion 1. 37.Ed.3.18.
17.R.1.6.
- Wines.** 10 A Confirmation of former statutes made for Merchants of wines.
- Wines.** 11 All Merchants Denizens, that be not Artificers, may goe into Gascoine to fetch Wines. And Gascoyne Merchants may bring Wines into England.
- Jurors.** 12 The punishment of a Juror taking reward to give his verdict, and of Embracers. AB. Jurors 5. 34.Ed.3.8.
5.Ed.3.10.

Other Statutse made Anno 38. Ed.3.

& Anno Dom. 1363.

- Pronisours.** ¶ 1 They which obtain Citations from Rome against any of this Realme, for causes, the cognizance whereof pertaineth to the King, and his Court: or for impetration of Benefices of the Kings, or other mens giftes, shall incurre the penaltie ordeined for Pronisours, Anno 25. Ed. 3. AL. 13. Eliz. 1. touching the penaltie.
- Premunire.** 2 They which being suspected of any of the said offences, that cannot be attached by their persons, if within two Moneths after warning they doe not appeare before the kings Justices to answer, shall incurre the penaltie of the Statute of 27.Ed.3.1. AL. 13. Eliz. 1.
- Premunire.** 3 He which doth commit any of the offences aforesaid, shall be put out of the kings protection, and punished according to the Statute of Anno 27. Ed. 3.1. AL. 13. Eliz. 1.

¶ He that upon malice doth falsly pursue any upon this Statute, shalbe false pursue, punished at the Kings pleasure, and make amends to the party grieved. The King and all the Parliament house agreed to impeach the offenders, and to resist them.

Statutes made at Westminster 1. die Maij, Anno 42.

Edwardi 3. & Anno Dom. 1368.

- ¶ 1 The great Charter, and the Charter of the Forest confirmed. And Confirmatio, if any Statute be made to the contrary, it shalbe repealed.
- 2 The Kings Pardon, granted in the 30. yere of his raigne, confirmed. Pardon. EP.
- 3 None shalbe put to answer an accusation made to the King, without pze. Accusation. 25.E.3.4. sentence, or some matter of Record, AB. Accusation 1.
- 4 To what sort of people Commissions of inquire shal bee graunted. AB. Commissions. Commissions 2.
- 5 An Escheator shall have twentie pounds Land at the least, and execute Escheator. his Office in his proper person. AL. 1. Henr. 8. touching the value of the Land.
- 6 The Statute of Labourers and Artificers confirmed. EP. 5. Eliza. Labourers. both. 4.
- 7 Londoners, and none other shall sell victuals by retails. But no pze. Victuals. iudice shall be done to Aliens, which haue franchises by the Kings Charters. EP.
- 8 English Merchants shall not passe into Gascoyne to fetch Wines, Wines. nor buy Gascoyne Wines, before they be landed in England. AL. 43. E. 3. 2.
- 9 Estrates sealed shalbe shewed to the partie indebted, and totted. AB. Estrates. Estrates 1. No Shirife, Under-shirife, or Shirifes Clerke shall abide in his office above one yere. AB. Shirifes 4.
- 10 Children boyne beyond the Seas within the Kings Dominions, shall inhere in England. AB. Abilic 1. 25.Ed.3. 1. Forreign boyne.
- 11 Copies of pannels shalbe deliuered to the parties five dayes before the Justices Session. AB. Assise 8. 6.H.6.1. Copies of Pannels.

Statutes made Anno 43. Edwardi 3. & Anno

Dom. 1369.

- ¶ 1 Whereas the Staple of Wools, Felles, and Leather hath bene holden at Calice since the first day of March, Anno 37. Edw. 3. Now the Staple of Calice shalbe wholly put out: And the Staples of Wools, Felles, and Leather shal be holden in these places under written, viz. at New-castle, Kingston upon Hull, & Botolph, Portsmouth, Linnborough, Westminster, Chichester, Winchester, Exeter, and Bristol. And the Staples of Ireland and of Wales shalbe at the places where they were first ordained. All Merchants, Aliens, and Denizens may goe through England, Ireland, and Wales, and buy and sell Wools, &c. and other Merchandises. But no Wools &c. shal be transported, untill they be brought to the Staples, and there weighed, cocketed, and customed. And the same Wools, Felles, and Leather may be transported by Aliens, but not by Denizens. C. 2. En. The Staple removed.

King Edward the third.

- Wines.** 2 English, Irish, and Welch men, being not Artificers, may passe into Gascoigne to fetch Wine there, so that they find sureties to buy a hundred Tunnes of their stowe goods, and to bring the same into England, Ireland, or Wales, and not elsewhere, notwithstanding the Statute of 42. Edw. 3.8.
- Kings butler.** 3 The Kings Butler, or his Lieutenants, shal take no more wine then hee is commanded. AB. Butler & c. 2. 25. Ed. 3.
- Pardon.** 4 The Kings general pardon of bert and venison to all men, saving to the officers of his forests, Chases, and Parkes. EP.

Statutes made at Westminster 3. die Martij, Anno

45. Edwardi 3. & Anno Domini

1371.

- Confirmatio.** ¶ 1 The great Charter, and the Charter of the Forest shal be observed in all points.
- Wearres.** 2 A Confirmation of the Statute of 25. Edward 3. 4. concerning pulling downe of Wearres. And the penaltie of him that setteth up againe the same Wearres, or doth enhaunce them. AB. Wearres 2.
- Silva Cœdua** 3 A Prohibition shall bee graunted where a suite is commenced in a spiritual Court for Silva cœdua. AB. Prohibition 5.
- Imposition.** 4 No Imposition or Charge shal be set upon Wools, Felles, and Leather (saving the Custome and Subsidie graunted to the King) without assent of Parliament.

Statutes made Anno 47. Edwardi 3. & Anno

Domini 1373.

- Cloth.** ¶ 1 The length and breadth of cloth of Ray, and cloth of colour. AB. Dra- 17. R. 1. 1.
perie 1.
- Scottish money.** 2 The Scottish Groat shall be currant for thre pence, and lesse money according to that rate. CB.

Statutes made at Westminster Quindena Hillarij,

Anno 50. Edwardi 3. & Anno Domini

1376.

- Church.** ¶ 1 The holy Church shal have all her liberties in quietnesse, without impeachment.
- Confirmatio.** 2 The great Charter and the Charter of the Forest shal be firmly kept in all points.
- Pardon.** 3 Because this is rightfully the yeare of the Kings Jubilee, therefore hee doth pardon all his Subjects (that will pursue their Charters before S. John Baptist) the suite of his peace, for all manner of felonies, Outlawries, &c. Except murders &c. But Sir William Wickham, Bishop of Winchester, shal not enjoy the benefit of this pardon. EP.
- Consultation** 4 No Prohibition shall be allowed after Consultation duly graunted. AB. Prohibition 9.
- Arrest.** 5 None shal arrest Priests carrying the sweet body of Jesus Christ to sick persons, or attending divine service in Churches, Churchyards, and other places dedicated to God. AB. Arrests 1. 1. R. 2. 15.

1.R.2.3.
13.Eliz.5.
7.Ed.4.3.
3.H.7.11.

6 Fraudulent assurances of lands or goods to deceive Creditors, shall be fraud.
void. AB. Fraudulent &c. 1.

7 Wollen Clothes shall not be carried forth of the Realme, nor Subsidie Cloth.
demanded for them, before they be sold.

8 No Subsidie or Aulnage shall be payed of clothes called Fraise ware, Irish Cloth.
made in Ireland or in England of Irish Wooll: because they containe not the
length and breadth ordained by the Statute.

Statutes made at Westminster Quindena Hillarij,

Anno 1. Richardi 2. & Anno Domini

1377.

1 **H**oly Church shall have all her Rights, Liberties, and Franchises, Church.
without blemish. The great Charter, (which at the request of the Confirmation
Commons were read in Parliament) the Charter of the Forest, and all other
Statutes not repealed, shall be observed.

2 The peace shall be kept, and Justice shall be indifferently done to all
men.

14.Ed.3.1. 3 The Statutes made in the time of King Edward the third touching Purveyors.
Purveyours, shall be observed. Prelates shall have their actions of Tres-
pas against Purveyors offending, and recover treble damages. AB. Purvey-
ors 2.

1.Ed.2.14.
10.Ed.3.4. 4 The penaltie of those which doe maintaine any quarrels. AB. Mainte- Maintenance
nance 1.

5 The punishment of a Clerke of the Exchequer making proces for a debt Exchequer,
that is payed. AB. Exchequer 2.

6 Commissions shall be awarded to enquire of the misbehaviour of villeins Villeines.
to their Lords. CB.

7 There shall be no giving of Liveries for Maintenance. AB. Liue- Liveries.
ries 1.

8 In what cases the Protection, cum clausula volumus, is not allowable. Protection.
AB. Protection 2.

8.H.6.9.
11.H.6.3.
1.H.7.1. 9 A feoffment of Lands or gift of goods for maintenance, shall be void. Maintenance
AB. Force 2. An Assise is maintainable against the person of the profits of
Lands. AL. 27. H. 8. 10.

10 A Confirmation of the Pardon graunted by King E. 3. in the 50. years Pardon.
of his raigne. BP.

6.H.8.18.
23.H.6.8. 11 One that hath bene Sherife, shall againe be Sherife in the same Coun- Sherife.
tie, within three yeares. AB. Sherifes 4.

7.H.4.4.
13.Ed.1.11 12 The penaltie of the Warden of the Fleet, if he suffer a prisoner there Escape.
being by judgement to goe out of Prison by Bayle or Bailon. AB. Escape 3.
Confession of a Debt to the King, to delaye another's execution. AB. Accom- Dette to the
panies &c. 50. King.

13 Ecclesiasticall Judges nor other shall be indicted or imprisoned for Spirituall
sutes in any Spirituall Courts for Tithes or other dues. AB. Ecclesiasti- Courts.
call 47.

14 If in an Action of goods taken away, the Defendant maketh his title Tithes.
for Tithes due to his Church, the Plaintiff shall not have a generall anwer-
ment. AB. Tythes 2.

50.Ed.3.5. 15 The penaltie for arresting of Priests in doing divine services. AB. Ar- Arrest.
rest 1.

Statutes

King Richard the second.

Statutes made at Gloucester 21. Octobris

Anno 2. R. 2. Anno Domini 1378.

- Merchants.** ¶ 1 Merchants strangers and denizens may buy and sell all things vendible within this Realme. And the penaltie of the disturbers of them. AB. 9. Ed. 3. 1. 25. E. 3. 2. 11. R. 2. 7.
- Forestallers.** 2 A Confirmation of the Statute made 25. Ed. 3. 3. against forestallers. AL. 5. Ed. 6. 14.
- Merchants.** 3 Merchants of Fene, Venice, Cataloigne, Arragon, and other Countreies of the West may sell their Marchandises, & buy others, so that they carie them towards the West, and not towards the East. CB.
- Mariners.** 4 If Mariners which be retayned to serue the King on the Sea, and haue received wages, doe depart without Licence, they shall pay double of that which they haue received, and be one yeare imprisoned. AL. 5. Eliz. 5. for the penaltie.
- Newes.** 5 The penaltie for telling slanderous newes of the Personnes of great Officers of the Realme. AB. Newes 1. 3. Ed. 1. 33. 11. R. 2. 11.
- Riots.** 6 Pope Urban shalbe taken for lawfull Pope.
- Riots.** 7 Riots, routs, and unlawfull assemblies, made by some people of Wales and other Countreies adioyning, to fenerall euill purposes, shalbe repressed. HP. 2. R. 2. 2.
- Labourers.** 8 All Statutes and Ordinances made of Artificers, Labourers, and servants shalbe put in execution. HP. 5. Eliz. 4.

Other Statutes made at West. 15. Pascha the same An. 2.

R. 2. & Anno Dom. 1379.

- Confirmation.** ¶ 1 The Lawes of holy Church, the great Charter, the Charter of the Forest, and all the good Lawes of the Land shall be kept, and put in execution.
- Repeals.** 2 A Repeals of the Statute of 2. Rich. 2. 6. Touching, Riots, Routes &c. in Wales.
- Fraudulent assurance.** 3 If Debtors doe make fraudulent seoffments of their Lands, or partes of their goods, to auoid their Creditors, and after doe resort to privileged places, the same shalbe voidable. AB. Fraudulent &c. 1. 50. E. 3. 6. 3. H. 7. 4. 13. Eliz. 5.

Statutes made at Westminster 16. die Ianuarij, Anno 3.

R. 2. & Anno Dom. 1379.

- Confirmation.** ¶ 1 A Confirmation of the Liberties and franchises of holy Church, & of all the good Lawes and Statutes not repealed.
- Bineger.** 2 The penaltie of the Bineger, which setteth his seale to cloth sacked together, or faultie, or which wanteth lawfull assise. AL. 11. H. 4. 6.
- Benefices of Aliens.** 3 It was ordeyned by the King, the Lords Tempozall and Commons, That if any shall take in ferme any Benefices of the Church of England of Aliens, or shall by exchange or otherwise conuey any money or waues unto any of them, he shall incur the penaltie contained in the Statute of Provisors, made Anno 27. Edw. 3. 30. Bishoppe or other person shall meddle by the way of sequestration, or in other manner, with the fruits of any benefice giuen to an Alien. AB. Præmunire 2. 3. 7. R. 2. 11.

Statutes

Statutes made at North-hampton 4. die Nouem-

bris, Anno 4. Rich. 2. & Anno Domini

1380.

18.H.6.17.
1.R.3.13.
28.H.8.14.

¶ 1 All the vessels of Wine, Honey, and Oyle, brought into Eng. Gauging
land, Ireland, or Wales, which bee not gauged, shall bee forfeited. AB.
Wines 13.

2 The Kings Pardon of escapes of Felons and Clerkes consist, to them Pardon.
that will sue their Charter out of the Chauncerie. EP.

Statutes made at Westminster Craffino Anima-

rum, Anno 3. Richardi 2. & Anno

Domini 1381.

2.H.4.5.
9.Ed.3.1.
12.R.1.8.
13.Eliz.3.
6.R.1.8.
4.H.7.10.

¶ 1 The Liberties and franchises of holy Church, the great Charter, Confirmation
the Charter of the forest, and all other good Statutes heretofore made, and
not repealed, confirmed: And specially the Statutes of Purueioys, made in
the time of King Edw. 3.

2 No man shall transport gold or silver without the Kings licence. AB. Mo-
ney 3. No man shall depart this Realme (certaine persons excepted) without
the Kings Licence. EP. 4. Jacobi 1.

Depart the
Realme.

3 None of the Kings subjects shall carrie forth or bring into this Realme
any Merchandise, but onely in shippes of the Kings allegiance, upon paine
of forfeiture of the same. EP. 1. Eliz. 13.

Shippes.

4 The prices of severall sorts of wines sold, in grosse, or by retails. AL. 28.H.
3.14. And how much the price shall be increased for carriage. And the authori-
tie of Payors, Bayliffs of Cities, Boroughes, &c. to sell unreasonable and
willfull mens wines. No sweet Wine shall be sold by retails. AL. 6. Richardi
2.7.

Wines.

5 The Kings Pardon granted to those that repressed or took reuenge of Pardon.
his Rebels. EP.

6 Spanmissions, Obligations, Releases, and other bonds, and all entries
into Lands, by duress, or compulsion, in the time of the late tumult, shall be
void. EP.

Duress.

15.R.1.2.
8.H.8.9.
6.R.1.4.

7 The penalty where any doth enter into lands, but where his entry is gi-
uen by the law, or then with force. AB. Force 1.

Forcible en-
trie.

8 They which find themselves grieved with their Charters, Releases, ob-
ligations, and other deeds burned, destroyed, or elained in the late Insurrec-
tion, shall put their complaint distinctly unto the King, and his Council, and
make sufficient proofe of the said Puniments lost and of the forme and tenour
of the same. And such remedie shall be provided as shall seeme best, saving the
Law. EP.

Writings de-
stroyed.

9 Cuius man that is impeached in the Exchequer, may plead in his owne
discharge, without suing any Writ, or other commaundement. AB. Exche-
quer 3.

Exchequer.

10 The Conerants of those which shall be retained to serue the King in
his Warres, or Embassies, shall be committed to writing, and sent into the
Exchequer. AB. Exchequer 4.

Conerants
for the Kings
seruice.

11 The

King Richard the second.

- Clerkes of parcels.** 11 The accounts in the Exchequer shall be shortly heard and made then they had wont.
- Exchequer.** 12 Two Clerkes shall be assigned to make parcels of Accounts in the Exchequer. AB. Exchequer 5.
- Assyl.** 13 Accounts of Nihil shall be put out in the Exchequer. And he that will swear that he oweth nothing to the King, shall be discharged. AB. Exchequer 6.
- Exchequer.** 14 The Clerke of the Pipe, and the two Remembrancers shall be sworn for the entrie of Writs of the great and prime Seale everie Terme. And to make Schedules and Certificates et. AB. Exchequer 7.
- Livery.** 15 When a iudgement of Livery cometh from the Kings Bench into the Exchequer by Mitimus, the Remembrancer shall cause the suit to cease without making new iudgement, or proces. 33.H.8.22.
- Clerkes for.** 16 The fee of a Clerke of the Exchequer for making a Commission or record of Nisi prius, shall be but two shillings only, as it had wont to be.

Other Statutes made at West. 20. die Aprilis,

Anno 5. Rich. 2. & Anno Dom. 1382.

- Marchants strangers.** ¶ 1 Marchants strangers of all Countries (being in amitie with the King) may come into, continue, and depart forth of the Realmes at their pleasures. AB. Marchants 1. 2.H.3.30.
9.Ed.3.1. 5
35.E.3.2.
- Merchandise.** 2 Wools, Felles, and Leather may be carried into any Countrey (saving France) by any Marchants Aliens, or Denizens. Some money shall be abated to them that will pay their Customs and Subsidies before hand. EP.
- Subsidie.** 3 A Subsidie graunted to the King, so that the money be wholly employed upon the safe keeping of the sea. EP.
- Parliament.** 4 Everie person to whom it belongeth, shall upon Summons come to the Parliament. AB. Parliament 1.
- Heresies.** 5 Commissions shall be directed to Schirifes and other, to apprehend such as shall be certified by the Prelates to be preachers of heresie, their followers, maintainers, and abettors, and to hold them in strong prison, untill they will iustifie themselves, according to the Lawe of holy Church. EP. 1.Edw.6.12. 2.H.4.15.
2.H.5.7.
1.& 2.P.& M.8.

Statutes made at Westminster Octabis Michaelis,

Anno 6. Rich. 2. & Anno Dom. 1382.

- Confirmation of Statutes.** ¶ 1 The Liberties of the holy Church, the Statutes of Magna Charta, Charta Foresta, and all other Statutes not repealed, shall be duly observed.
- Proces.** 2 Actions of Debt et. shall be commenced in the Counties where the contracts were made. AB. Proces 1.
- Nusance.** 3 In what Courts Writs of Nusance, called Vicountels shall be pursued. AB. Nusance 1.
- Exemption.** 4 Words that were before this time enrolled in the Chancerie, either bench, or exchequer, which were to be imbeailed in the late insurrection, being duly exempted under the Kings great Seale, shall be of that effect, as the same words should have bene. EP. 5.R.2.8.

11. R. 2. 11.

Justices of Assise and Gaols delineries shall hold their Sessions in principal Townes &c. AB. Iustices of Assise &c. 6.

Sessions.

The penalties of both the parties, where a woman ravished both consents. AB. Rape 7.

Rape.

What wines may be sold at the pices that wines of Calcegn and Wyre shall be sold, and not above, upon paine of forfeiture of the same. AB. Withstanding the Statute of 7. R. 2. 4. 11. 13. H. 8. 14.

Wines.

14. R. 2. 6.

1. El. 11.

An alteration of the Statute of 7. R. 2. 4. 11. 13. H. 8. 14. restaining the carrying forth of bringing in of Merchandizes, but only in English ships, where no English ships are to be had.

Shippes.

13. Ed. 1. 6.

No Victualler shall have or execute any iudiciall office in any Citty, Borough, Towne, or Port of the sea, but where no other sufficient person may be found to execute the same, in which case yet during the time of his office he shall abstaine from victualing, upon paine of forfeiting the victuals so sold. AL. 3. H. 8. 8.

Victualler.

14. H. 6. 6.

11. R. 2. 7.

Aliens being in amitie with the King and the Realme, which bring in victuals, may sell them in gilde, or by retails. AB. Victuals 2.

Victuals.

Houses in Cities, Boroughs, Townes, and places upon the sea coasts, shall not imbrace or forfeitall perrings, or other fish or victuals, under the colour of any Custome, Priviledge, or Charter, or be any impediment to victualers to sell their Victuals. Fishmongers of London shall not buy ten fish or fresh fish to sell againe, but Celes, Lucres, and Pikes. EP. 7. R. 2. 11.

Houses.

Fishmongers.

The Mayor of London, and all other chief officers of cities & townes Corporate, upon their new creations shall be sworn to observe the foresaid ordinances, made by Fishmongers & Victuallers. EP. 7. R. 2. 11.

Officers of cities.

The Kings Pardon after the late insurrection, to his subjects (certaine excepted) whereof one of them did let William Wolworth, Mayor of London, to shut the gates of the Citty against the Rebels, EP.

Pardon.

Other Statutes made at Westminster the same Anno

6. Ri. 2. & Anno Domini 1383.

Another more ample Pardon made by the King to his subjects, and with fewer exceptions. EP.

Pardon.

He that wil attempt any suit for any Trespas done him in the late insurrection, shall begin it before 1. In next coming, or else he shall be forever barred. EP.

Suits.

They which can proue by witnesses, that they came not willingly, but by compulsion, to doe hurt in the time of the Insurrection, shall be discharged of any actions of Trespas purshued against them. EP.

Insurrection.

Statutes made at Westminster 28. die Octobris, An.

7. R. 2. & Anno Domini 1383.

Woly Church shall enjoy all her liberties and franchises, as she hath done in the time of the Kings Progenitors.

Church.

The great Charter, the Charter of the Forest, & all other Statutes not repealed, confirmed.

Confirmation.

A Justice for a Trespas within a Forest, shall give their verdict, before they receive their charge. AB. Forest 1.

Forest.

King Richard the second.

- Forest.** 4. None shall be taken or imprisoned by the Officers of the Forest, without indictment. AB. Forest 2.
- Magabondes.** 5. A confirmation of the Statute of 5. Edwardi 3. 14. made against Robbersmen and Wyat-latches. The Justices of Assise, Justices of Peace, Sherifes, Mayors, Baylives, Constables, &c. shall examine Magabondes, and bind them with sureties to their good behaviour: & in default thereof commit them to the Gaole, and there to receive such punishment as shall seme good to the Justices of Gaole delinerie by the Law. EP. 39. Elizabeth. 4.
- Stat. win-ton.** 6. The Statute of Winchester confirmed. And everie Shirife shall pzo. 18. Ed. 1. 17. claime it foure times in the yeare. AB. Shirifes 31.
- Null prius by a Juror.** 7. A Null prius shall be graunted at the suit of any of the Jurors, as wel in the Exchequer, as before any of the Justices, if the parties after the great distresse thre times serued doe refuse it. Q. an. B.
- Purueance.** 8. No subject's Chato; shall take any viduals or cariage against the owners consent. AB. Purueyors 1. 36. Ed. 3. 6. 23. H. 6. 14.
- Cloth.** 9. All statutes confirmed made against deceit found in clothes to bee selde, and against Aulnagers and Collectors of the Subsidie of the said clothes. And he that sinpeth defaul't in any of the said clothes, contrary to former Statutes, shall haue the third part of the forfeiture. EP. 5. Ed. 6. 6.
- Wille.** 10. Assise of Kent going forth of Landes in seuerall Counties. AB. Assise 7.
- Fishers.** 11. A Repeale of the Statute made Anno 5. & 2. R. 2. 11. Touching fishers of London, Wicuallers, Clunterers, &c. 31. Ed. 3. 10.
- Witen.** 12. No alien shall purchase any benefice of the Church within this Realme, 3. R. 2. 3. 1. H. 5. 7.
- Benefice.** or occupie the same without the Kings licence. AB. Præmunice 4.
- Ride armos.** 13. No man shall ride in harness within this Realme, nor with Launce-gates, which be clearly prohibited. AB. Armour 6. 2. Ed. 3. 1. 20. R. 2. 1. 1. 13. E. 1. 10. 17. Ed. 1.
- Attorney.** 14. They which shall depart the Realme by the Kings Licence, may make generall Attorneys. AB. Attorney 1.
- Maintenance.** 15. A confirmation of the Statute of 1. Ed. 3. 14. 4. Ed. 3. 11. & 1. R. 2. 4. 02. dained against Maintenance and Champertie.
- Scotland.** 16. Whosoener shall carry or send any Armour or Wicual in Scotland, without the Kings Licence, shall forfeit the same, and the Shippes, Carts, and Horses, which do carry them. EP. 4. Jac. 1.
- Damages.** 17. The painperners shall satisfie the plaintife for his delay by the perscution of the Judges, where the defendant keepeth not his day upon painprie. EP.

Statutes made at Westminster. Grastino Mar-

tini, Anno 8. Richardi 2. & An. Dom.

1384.

- Confirmation** 1. All the Liberties of holy Church, the great Charter, the Charter of the Forest, and all other Statutes not repealed, confirmed.
- Justice of assise.** 2. No man of Lawe shall bee Justice of Assise or Gaole Delinerie in his stone country. AL. 33. H. 8. 24. The chiefe Justice of the common Bench shall bee assigned to take Assises, and delinere Gaoles. But the chiefe Justice of the Kings Bench shall doe as he had wont to doe by the space of an hundred yerres before. 13. H. 4. 1.

3 None of the Iustices of eyther Bench, or Barons of the Erchequer shall take any fee or reward, but of the King, nor shall give counsell where the King is partie: Or in any plea depending before him, upon paine of losse of his Office, and making fine and ransome to the King. *RP. 9. Richard 2. y.* *Iustices of the Benches.*

4 The penaltie if a Iudge or Clerke doe make a false entrie of a plea, or a Roll, or chaunge a Verdict, whereby any person is disinherited. *AB. Records 6.* *I Record falsified.*

Statutes made at Westminster 21. die Octobris, An. 9.

R. 2. & Anno Dom. 1385.

¶ 1 All former Statutes not repealed, confirmed: saving the Statute of 8. Rich. 2. 3. Concerning Iustices and Barons, which shall be repealed. *Confirmation*

2 Villeines flying into places enfranchised, and suing their Lordes. *AB. Villeines. Villeines 2.*

3 He in the Reversion shall have a Writ of Error or Attaint upon a Iudge, ment given against the particuler Tenant. *AB. Error 1.* *Error. Attaint.*

4 The triall shal be by the Dymanie, whether a Writ be datife and removable, or perpetuall. *CB.* *Writ datife.*

2.H.4.13.

5 Ecclesiasticall persons taken in the Sparshalle of the Kings house, shall pay such fees as others doe, none other. *AB. Marshall 6.* *Writs.*

¶ 1 A Statute made Anno 10. Rich. 2. & Anno Domini 1386. Giving Commission to certaine great Counsellors and Noblemen, to enquire of, and reforme divers abuses in the Realme. *RP. 2. 1. Rich. 2. 2.* *Commission.*

Statutes made at Westminster Craistino Purificationis,

Anno 11. Ri. 2. & Anno Domini

1387.

¶ 1. 2. 3. 4. 5. 6. The Attainder of divers Noblemen and others of high Treason, and the confiscating of their Lands and goods. And the acquitting of certaine others which did subdue them. *RP. 21. R. 2. 12. Ann 1. H. 4. confirmed.* *Attainder.*

16.R.1.1.

7 A confirmation of the Statute made 9. Ed. 3. 1. & 25. Ed. 3. 2. authorizing all Merchants, Aliens, and Denizens to buy and sell within this Realme all things vendible, without interruption. *Merchants.*

8 All Annuities, and other things, given or granted by the King, his father, or Grandfather, to any persons, with this clause, Quousq; pro statu suo aliter duxerimus ordinandum, shalbe void, if the same persons haue after accepted any thing of the King, his father, or grandfather. *RP.* *R. Patents.*

9 No Imposition or Charge shall be put upon Wools, Felles, or Leather, other then the Customs and Subsidies granted to the King in this Parliament. *RP.* *Imposition.*

2.Ed.3.8.

10 The Kings Signet or private Seale shall not be used in prejudice of the Realme, nor in disturbance of the Law. *AB. Iustice 1.* *Iustice.*

11 The keeping of Assises in good Townes, referred to the consideration of the Chancellor and Iustices, notwithstanding the Statute of 6. Rich. 2. 5. *AB. Iust. of Assise &c. 6.* *Assises.*

King Richard the second.

Statutes made at Canterburie 9. die Septembris, An. 12.

R. 2. & Anno Dom. 1388.

- Confirmatio** ¶ 1 Holy Church shall have all her Liberties and Franchises, the great Charter, the Charter of the Forest, and all other Statutes not repealed, shall be observed.
- Officers.** 2 None shall be placed in any office for affection, neither any that doth labor for it, but the most sufficient men. AB. Offices 1.
- Servants.** 3 A servant upon pain to be put in the stocks, shall depart out of the Hundred where he last dwelled, or goe in Pilgrimage without Licence under the Kings Seale. Which Seale shall be kept by some good man of the Hundred to be appointed by the Justices. RP. 5. Eliz. 4.
- Wages.** 4 The severall wages of severall sorts of servants in Husbandrie. RP. 5. 4.H. 4. Eliz. 4.
- Husbandrie.** 5 He or she that laboureth in Husbandrie, untill twelve yerres of age, shall not after be put to any handicraft. RP. 5. Eliz. 4.
- Armour.** 6 No servant in Husbandrie, or Labourer shall weare any Buckler, Dagger, or sword, &c. AB. Armor 2. But shall use Bowes and Arrowes, and leane 11.H. 4. 3 all unlawfull games RP. 33.H. 8. 9.
- Beggars.** 7 Cuerie person that goeth a begging, and is able to labour or serve, shall be set in the Stocks, except Religious people and Heremites. Schollers of the Uniuersitie that go a begging, shall haue letters Testimoniall of their Chauncelors. RP. 1. Ed. 6. 3.
- Tenailers.** 8 They which traualle forth of the Realme, shall not doe it without Testimonials. 5.R. 2. 1.
- Labourers.** 9 The Statute of Labourers and servants shall be executed within Cities, Boroughes, and Franchises. Gaolers shall receiue offenders committed to Prison, without letting them to Bayle, or taking any fee, RP. 5. Elizabeth. 4.
- In. of peace.** 10 There shall be but five Justices of Peace assigned in cuerie Countie, with the Justices of Assises. How many Sessions of the Peace they shall yearly hold, and for how long time: And what wages they shall haue. AB. Just. of Peace. 5. 6.
- News.** 11 The punishment of him which telleth false news of the Deeres or great Officers of the Realme, and cannot finde him which spake the wordes. AB. Newes 1. 3. Ed. 1. 33. 2.R. 2. 5.
- Parliament.** 12 He or she spiritual persons purchasing Lands contributoie to the expences of the Knights of the Parliament, shall be contributoie to the same expences. AB. Parliament 11.
- Infection.** 13 If any shall cast intralles of beasts, dung, or other corruption into any ditch, water, or other place, neere to a city or towne, to infect the Aire, or breed diseases: he that findeth himselfe grieved therewith, shall haue a writ to call him before the Chancelor, by whose discretion he shall be punished.
- Cloth.** 14 A Confirmation of the Statute made 47 E. 3. 1. Touching the length and breadth of clothes of Ray, and clothes coloured. AB. Draperie 1.
- Promissor.** 15 If any of the Kings subjects shall goe or send out of the Realme to procure a Benefice within the Realme, without the Kings Licence, he shall be out of the Kings Protection, and the benefice shall be void. CB.
- Staple.** 16 The Staple shall be removed from Spidaleborough to Calice. AL 14. 2.H. 4. Rich. 2. 1.

Statutes made at Westminster 16. die Januarij, Anno

13. Rich. 2. & Anno Domini 1389.

¶ 1 A Confirmation of the Statute made 25. E. 3. 3. Touching the examination of the Kings title to a Benefice, when he presenteth in anothers right. And the Kings Presentie shal not be received, until he hath recovered by law. Presentation
AB. Incumbent 1.

4. H. 4. 11.

2 It appertaineth to the Constable of England to have cognizance of contracts touching deeds of armes, and of warre out of the Realme, and of things touching warre within the Realme, which may not be determined by the common Law. And if the Constable and Sparrhall hold plea of any thing determinable by the common law, a private Weale shall be directed to them to surcease, untill it be discussed by the Kings Countell, if the matter do appertaine to that Court. Constable of England.

28. Ed. 1. 30.
33. H. 8. 12.

3 The Steward and Sparrhalls Court & authoritie shal not passe 17. miles from the Kings lodging. AB. Marshall 3. Sparrhall.

4 The duty of the Clerke of the Parket of the R. house. AB. Clerke &c. 1.

2. H. 4. 11.

5 With what things only the Admirall and his deputie shall meddle. AB. Admirall 1. Clerke of the Parket Admirall.

6 There shall be but 30. Sericants at Armes, who shall meddle with nothing but touching their office: And they shall doe no extortion. Sericants at Armes.

1. H. 5. 3.

34. E. 3. 1.

7 Justices of peace shalbe assigned of the most sufficient knights, Esquires, and men learmed in the law, and shall be sworne to put in execution all Statutes touching their offices. AB. Just. of peace 1. 4. Justices.

32. H. 8. 41.

4. H. 4. 25.

8 An Hostler shall not make Horse-bread, but Bakers shall do it, and the weight shall be reasonable, according to the price of coine. And he shall sell hay and oates at a reasonable price. AB. Inholders 2. Hostler.

14. Ed. 1. 12.

29. Ed. 3. 12.

9 There shall be one weight and one measure through the Realme, except in the Countie of Lancaster, where the measure hath been used to be greater. Weight.

None shall buy or sell Wools but at 14. l. the Stone, or make any refuse of Wools, but Cot, Carse, and Willein. And packing, cocketting of Wools. AB. Wool.

31. Ed. 3. 8.

Weights 1. 3. Wools 10.

47. Ed. 3. 1.

12. R. 2. 14.

11. H. 4. 6.

10 Cogwars and Rendall clothes may be made of such length and breadth as they have bene, notwithstanding any former Statutes. S. 7. l. 16. Clothes.

11 No plaine cloth of the Counties of Somerset, Gloucester, Dorset, or Bissolw, sacked, or solded, shalbe put to sale before they be opened, that the buyers may see them. But the Merchants which buy them, may sold the together. Sacked cloth

AB. Draperie 87.

12 No Shomaker shall bee a Tanner, nor Tanner a Shomaker. EP. 4. Shomaker.
H. 4. 35.

13 None shal hunt but those which have sufficient lining. AB. Hunters 1.

14 There shall be no Bands of the Double in the Exchequer for the kings debt. AB. Exchequer 8. Hunting.
Exchequer.

15 The Kings Castles and Gaoles which were wont to be loyned to the bodies of Counties, and be now severed, shalbe reioyned. Banda.
Gaoles.

16 In what case the protection Quia profecturus, or Quia moratur, shall bee allowed, and in what not. And in what it may be repales. AB. Protection. Protection.
on 3. 4.

17 Where hee in the Reversion may be received, in a suit commenced against the particular tenant. AB. Recet 3. Recet.

3. H. 5. 4.

18 Upon a false verdict given before the Sparrhall and Bayliffes of Lincoln, by Lincoln.
¶ 19

King Richard the second

Attaint. by any Aſſiſe, Iurie, or Enqueſt, the party which findeth himſelfe grieued, may have an Attaint in the Kings Bench or Common place. And the Sheriffe ſhall returne ſoyreines of the Countie of Lincolne, without ſending to the franchise of the ſame Citie. R.

Salmons. 19 A Confirmation of the Statute of 13. Ed. 1. 47. Touching the prohibiting of Salmons to be taken certaine times of the yere. AB. Fiſh 1.

Paſſage. 20 None ſhall paſſe forth of the Realme without the Kings Licence, but at the ports of Dover and Wilmouth, ſaving Merchants and Shuldiers. And ſaving ſuch as paſſe into Ireland. 9. Ed. 3. 2.
4. Ed. 4. 19.

Other Statutes made at Weſtm. 16. die Ianuarij, Anno 13.

Rich. 2. & Anno Dom. 1389.

Pardon. ¶ 1 In a Pardon of Murder, Treason, Rape, &c. the offence committed ſhall be ſpecified. AB. Pardon 3. The ſoyſeiture of him, at whoſe ſuite ſuch a Pardon is obtayned. RP. 16. Rich. 2. 6.

Woulſozs. 2 The Statute of Woulſozs made 25. Edw. 3. confirmed. And if any doo accept a benefice of the Church, contrarie to the ſaid Statute, hee, his Receivers, Procurators, Notaries, Executors, and Summoners ſhal bee baniſhed out of the Realme. AL. 13. Eliz. 2. touching the penaltie.

Woulſozs. 3 If any bzing or ſend within the Realme any Summons, Sentence, or Excommunication againſt any perſon ſo; the cauſe of making motion, aſſent, or execution of the ſaid ſtatute of Woulſozs, he ſhall loſe lands, goods, and life. AL. 13. Eliz. 2. viz. made Treason. 1. H. 4. 4.

Statutes made at Weſtmiſter 12. die Nouembris,

Anno 14. R. 2. & An. Dom. 1390.

The Staple. ¶ 1 The Staple ſhalbe remoued from Calice to thoſe towne in England which be named Anno 27. Ed. 3. 1. Every alien that bzingeth Merchandiſe into this Realme, ſhall find ſureties to the Cuſtomers, to beſtow halfe the value thereof in the commodities of this Land. CB. 43. Ed. 3. 2.
12. R. 2. 16.
2. H. 6. 4.

Merchants Exchanges. 2 For everie Exchange to be made by Merchants, they ſhalbe bound in the Chancerie, to buy within thre moneths after, commodities of the Land, to the value of the thing exchanged, upon paine of ſoyſeiture. RP. 11. H. 4. 2.
9. H. 5. 9.

Staple. 3 In everie place where the Staple is, the officers ſhalbe firſt ſwozne to the King, and then to the Staple.

Wool. 4 No Denizen ſhall buy any Wools, ſaving of the owners of the ſhepe, or of the Woll, but in the Staple. Neither ſhall he regrate Wools or other Merchandiſe of the Staple. AB. Wools 1.

Transporting 5 No Denizen ſhall carrie Woll, Fels, Leather, or Lead out of the realm, upon paine of ſoyſeiture thereof, but onely ſtrangers. CB. 27. Ed. 3. 3.
31. Ed. 3. 11.

Freights. 6 Engliſh Merchants ſhall freight onely in Engliſh ſhippes, ſo that the owners of them take reaſonable ſo; their freight. CB. 5. R. 2. 3.
4. H. 7. 10.

Tinne. 7 Tinne ſhall paſſe out of the Realme onely at the Port of Dartmouth. RP. 15. Rich. 2. 8.

Gauging. 8 No perſon ſhalbe impeached ſo; not gauging of Rentiſh Wines. AL. 18. H. 6. 17. 1. Rich. 3. 13. Sed Q.

Wines. 9 Merchants ſtrangers repaying into this Realme, ſhal be courteouſly uſed. AB. Merchants 1. 9. H. 3. 20.
9. Ed. 3. 1.

Customer. 10 No Customer or Controller ſhal have any ſhip of his owne, nor his office, but at the Kings pleaſure. AB. Customer 21. Officers 3. 17. R. 2. 5.
1. H. 4. 13.

11. In every countie there shall be big. Iustices of peace. The Iustices Justice of
 waues and estreits. AB. Iust. of P. 7. peace.

12 The groat, halfe groat, peny, and halfe peny of Scotland, shalbe halfe so much of English money. CB. Scottish m^o
1172.

Statutes made at Westminster Craffino Animarum, Anno

15. R. 2. & Anno Dom. 1391.

¶ 1. A Confirmation of all good statutes not repealed.

5.R.2.7.
8.H.6.9.

1.H.5.10.

4. The Weights 3.

It is
of another
to a Guild,

4.H.4.12.

7. Amend the Statute of

8 Aker
Tynne fort

32-H86.

IO 20
Suffer, and
filled, fully
same. EXP. 6

22

52.H.3.2
10.R.2.2.

Statutes made at Westminster Octabis Hillarij.

Anno 16. R. 24 & An. Domini 1392.

9.E.3.1.
35.Ed.1.2

15.R.2. 12.
52.H.3. 22.

3 The C
lures signed.

20.R.2.2.

King Richard the second.

Premunire. 5 *Præmunire* for purchasing Bulles, or other instruments from Rome. AB. *Premunire* 5. The Crowne of England hath bene so free at all times, that it hath bene in subiection to no Realme, but immediately subiect to God, and to none others in all things, which Regaltie in all points, the Lords spiritual, temporall, and Commons promised with all their power and force to maintaine, and defend: and that the Bishop of Rome, shall not haue authoritie to make Translation of Bishopricks within this Realme, nor of any persons out of the Realme, without the Kings consent.

Pardon. 6 A Repeale of so much of the Statute of 13. Rich. 2. 1. as concerneth the forfeiture of him which obtaineth a pardon contrary to the said Statute.

Statutes made at Westminster, 15. Hillarij, Anno

17. R. 2. & Anno Dom. 1393.

- Money.** ¶ 1 No person shall melt a groate or halfe groate to make vessell or other thing thereof. AB. Money 7. No foraine money shall be currant in England, but shall be molten for coynes. No Exchange shall be of English money with Scotch money upon paine of forfeiture, imprisonment, fine, and Ransome. CB. 9. Ed. 3. 3. 17. Ed. 4. 1.
- Cloth.** 2 Curte man may make and sell herkes and other clothes of any length or breadth, paying the Aulnage, Subsidie, and other duties, notwithstanding any Statute, &c. But there shall be no deceit in them. EP. 5. Ed. 6. 6. 47. Ed. 3. 2. 1.
- Worsted.** 3 What sorts of Worsteds may be carried south of the Realme, and what not. AB. Worsted 5.
- Spaul.** 4 Spaul sold to London shall be cleared from the dust, that the buyers may haue vij. bushells of cleere mant to the Quarter. 2. Ed. 6. 10.
- Officers.** 5 No Wercher, Tanager, Aulnager, Customer, &c. shall haue any assured estate in his office, but be removable at the Kings pleasure. AB. Officers 3. 14. R. 2. 10. 1. H. 4. 13. 31. H. 6. 5.
- Suggestion.** 6 Upon an untrue Suggestion made in the Chancery against any man, the Lord Chancellor may award him damages. AB. Suggestion 1, 37. Ed. 3. 18. 38. Ed. 3. 9.
- Coyn.** 7 Licence graunted to all the Kings subjects to carrie coyne south of the Realme to any place, saving to the Kings enemies. But the Kings Council may restraine the passage when they will. AL. 1. & 2. Phil. & Maric 5. 4. H. 6. 5. 3. lac. 11.
- Riots.** 8 The Sherifes and other the Kings officers shall suppress, and imprison all such as make any unlawful assemblies, riots, or routs against the peace. AL. 13. H. 4. 7.
- Salmons.** 9 The Iustices of peace shall be conservatoys of the Statutes made 13. Ed. 1. 47. & 31. R. 2. 19. touching the preservation of Salmons. AB. Fish. 1. Iustices 41.
- Escalderiery.** 10 In every Commission of peace through the Realme where néede shall be, two men of the Law of the same Countie, where such Commission shall be awarded, shall be assigned to procede to the delineries of felons, as often as they shall thinke it méete. AB. Iustices of peace 1. 18. Ed. 3. 2. 34. Ed. 3. 1.

Statutes made at Westminster, 22. die Ianuarij,

Anno 20. R. 2. & Anno Dom. 1396.

Armour. ¶ 1 No man shall goe or ride armed. AB. Armour 1. Lancergates shall be cleare put out. The Statute of 1. R. 2. 8. touching giving Liveries confirmed. 7. R. 2. 13. 2. Ed. 3. 3. 1.

- 16.R.1.4. 2 No man under an Esquier, shall weare the Livery of any Lord, unlesse he be his meniall servant or officer. AL. 8. Ed. 4. 2. Liberties.
- 3 No man shall sit vpon the Bench with the Iustices of Assise. AB. Inst. of 3. of Assise. Assise. 4.
- 4 A Confirmation of so much of the statutes of 28. E. 3. 13. as giueth licence to strangers ships laden towards England not to be compelled to come thither, or not to tarrie there. Strangers ships.
28. Ed. 1. 2. 3. Ed. 1. 31. 5 Whosoever shall take any horse, or other beest, vpon pretence to serue the king, without sufficient warrant, shalbe imprisoned untill he hath satisfied the partie AL. 28. H. 6. 2. for the penaltie. Takers of horses.
- 6 Licence granted to Beknap, Dolts, and Burgh, to returne out of Ire- land into England, notwithstanding the Statute of 11. R. 2. 1. &c. Beknap.

Statutes made at Westminster 16. die Septembris, Anno 21.

R. 2. & Anno Dom. 1397. All the Statutes made at this Parli-
ament are repealed. Anno 1. H. 4. 3.

¶ 1 The liberties of holie church, of the Lords spirituall and tempozall, and of all cities and boroughes confirmed. Liberties.

2 A Repeale of a Commission granted to certaine Noble men, to enquire of, and reforme diuers abuses in the Realme, and of a Statute made 10. R. 2. to ratifie the same, with all things thereupon depending, as a thing traiterously done. And no such commission shal be hereafter granted. Repeale.

3 It shall be adiudged high Treason for any man to compass the death of the King, to depose him, or to make warre against him within the Realme, or to render vp his homage. Treason.

4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. The punishment of diuers traiterous Conspiracies and practises intended against the King, and meanes deuised to prevent the like in time to come. And the resolution of certaine Judges and other learned men in the law, touching certaine treasons and other offences.

15 The Kings Pardon to them which will sue for their Charter before the feast of S. John Baptist next. Pardon.

16 A Confirmation of the Statute made 13. R. 2. 12. that no Shomaker shall be a Tanner. Tanner.

17 There shall be no licence to ship marchandises of the Staple, to any place but Calice. Staple.

10. H. 6. 5. 18 Luggage of stones shalbe carried out of England to Calice, for the reparaire thereof. Calice.

10. H. 6. 5. 19 A confirmation of the Statute made Anno 25. E. 3. 4. & 45. Ed. 3. 2. concerning the pulling downe of Weares, Tanks, &c. Weares.

20 Whosoever shall pursue by Parliament to repeale any of these Statutes, and that duly pꝛoued in Parliament, shalbe adiudged a Traitor. &c. Treason.
1. H. 4. 3.

King Henry the fourth.

Statutes made at Westminster 6. die Octobris, Anno

1. H. 4. & Anno Dom. 1399.

- | | | |
|------------------------------|--|---|
| Liberties
Confirmed. | 1 A Confirmation of all the liberties of holy church, of the great Charter, the Charter of the forest, & of all other Statutes not repealed. Peace shalbe maintained, and Justice shalbe done. | |
| | 2 None shalbe impeached or sued that came in aide of R. 4. or assisted to pursue or apprehend King R. 2. or his adherents. EP. | |
| Repeale. | 3 A Repeale of the Parliament holden Anno 21. R. 2. with all the circumstances and dependants thereof. EP. | |
| Confirmation
Restitution. | 4 The Parliament holden Ann 11. R. 2. confirmed. | |
| | 5 A Restitution of those, or their heirs, which were attainted at the Parliament holden Anno 21. R. 2. | |
| Patents. | 6 In every petition to be made to the King for any lands, offices, or other profits, it shall be contained of what value the thing is, and what other gift the Petitioner hath received of the king or his predecessors, or else the letters Patents shalbe repealed. AL. 2. H. 4. 2. in part. | |
| Liveries. | 7 The penaltie for unlawfull giving, taking, or wearing of Liveries, or badges, retaining, or being retained. AB. Liveries 3. 5. 6. | 8. Ed. 4. 2. |
| Wife. | 8 A wife maintainable by the disseise against the Kings patentee of lands. AB. A wife 5. | |
| Confirmation | 9 A Confirmation to the purchasers of certaine lands sold unto them by Commissioners, which were forfeited to the King. Anno 11. R. 2. | |
| Treason. | 10 Nothing shalbe accounted Treason, which was made Treason Anno 21. R. 2. But onely such offences as were made Treason in the time of King Ed. 3. | 1. Ed. 6. 12.
1. M. 1. |
| Sherifes. | 11 Sherifes shall not be charged with the antient fermes of the counties, part of the profits being given away. Neither shall they doe excoption. | |
| Weares. | 12 A Confirmation of the Statute of 25. E. 3. 4. & 45. Ed. 2. Touching the pulling downe or abating of weares, stanks, &c. And Commissions granted to execute the same. AB. Weares 3. | 4. H. 4. 11.
17. Ed. 4. 7. |
| Officers. | 13 Customers, Controllers, Searchers, &c. shall be remouable at the Kings pleasure, and shalbe resident vpon their Offices. AB. Offices 3. Customs 23. | 14. R. 2. 10.
17. R. 2. 5.
31. H. 6. 5. |
| Appeales. | 14 In what places appeales shalbe pursued. AB. Appeales 1. | |
| Defaults in
London. | 15 The punishment of the Mayor, Sherifes, and Aldermen of London, & other cities, for defaults and Dispositions therein committed, shalbe according to the discretion of the Justices thereunto assigned, and not according as it is limited by the Statute of 28. Ed. 3. 10. | |
| Merchants. | 16 Merchants of London shall be as free to pack their Clothes, and acquitted of the same packing, as other Merchants be. | |
| Merchants. | 17 A confirmation of the Statute of 11. R. 2. 7. authorising Merchants strangers to buy and sell within the Realme, notwithstanding the letters patents of King R. 2. granted to certaine persons of London to the contrary. AB. Victuals 2. | 14. H. 6. 6.
6. R. 2. 10.
3. Jac. 6. 1. |
| Cheeshire. | 18 Dozes against one of the countie of Cheshire, which committeth felony into another shire. AB. Cheshire 3. | 9. H. 5. 2. |
| Clothes. | 19 No kerse, Kendall cloth, freese of Couentrie, Cogtware, nor other cloth, whereof the dozen exceed not xij. s. iij. v. in value, shall be sealed, nor subsidy payed therfore, during 3. yeres. EP. | 7. Jac. 6.
9. H. 4. 2. |

20 The kings pardon to all that will pursue their Charters, before Pals was next. *BP.* Pardon;

Statutes made at Westminster Octabis Hillarij,

Anna 2. H. 4. & Anno Domini

1400.

1 A confirmation of the liberties of holy church, & of the franchises of all Lords, Cities, Boroughs, &c. and of all Statutes not repealed. All men may peaceably repaire to the Kings Courts to pursue and defend their right. *In Justice.* Confirmation

2 An exposition of so much of the Statute of 1. H. 4. 6. as concerneth the mentioning of other gifts which the petitioner hath received of the king, or his predecessors, expressing to which predecessors by name those were. And a Confirmation of the residue of the Statute. *BP.* Petitioners.

3 If the Pope shall make provision to any person, to be exempt of regular or ordinare obedience, or to have a perpetuall office in a house of Religion, or to have as much in a house of Religion, as one, two, or more have. The Provision, that doth accept thereof, shall incur the penaltie ordained. 13. R. 2. 3. *CB.* Provision.

7. H. 4. 6. 1 4 Religious persons of the order of Cisterciars, and other religious and secular persons, that shall purchase Bulls, to be discharged from the payment of tithes of their lands letten in ferme, or occupied by others then by themselves, shall incur the forfeitures ordained 13. R. 2. 3. AL. 13. Eliz. 2. Provision.

9. Ed. 3. 1. 5. R. 2. 2. 3. 2. H. 6. 6. 5 He that carrieth any Gold or Silver forth of the Realme, shall confesse to the searcher how much he hath. *AB.* Money 3. Merchants strangers that do sell their merchandizes within the realme, and do employ the one half of their money upon the Merchandizes of the Realme, may carrie forth the other half by the Kings Licence. AL. 4. H. 4. 15. 17. Ed. 4. 1. Transporting money.

11. H. 4. 5. 13. H. 4. 6. 6 The money of Scotland, and all other countries beyond the Sea, shall be converted into Bullion, and not be currant in England. *BP.* Money.

7 Where, if the verdict passe against the plaintiff, he shall not be nonsuit. *AB.* Nonsuit.

13. Ed. 1. 44 8 The fee of the Cheirographer of the common place for a fine leued. *AB.* Cheirog.

9 Such as were commissioners in the time of king Ric. 1. shall be discharged of their Certificats, by taking of their othes. *BP.* Commissioners

10 The Clerke of the Crowne of the Kings Bench shall take no more for Indictments then hath been used, viz. where divers defendants do plead to an issue not guiltie, the Clerks ought not to take for the Venire facias, or for the entering of the plea but two shillings. *Q.* Clerke of the Crowne.

13. R. 2. 5. 11 A remedie for him who is wrongfully pursued in the court of the Admiraltie. *AB.* Admiraltie.

12 So Welshman whose boyme in Wales, and having father and mother bornes in Wales, shall purchase any Land in any Merchant Town adjoining to Wales, nor in the Suburbs thereof: Nor shall be chosen Burgesse in any Citie, Borough, &c. nor shall be Mayor, Bailife, or officer there, nor shall beare any armour within any Citie or Borough, upon paine of forfeiture thereof. *AL.* Welshmen.

13 The person granted 13. R. 2. 15. confirmed, notwithstanding other Statutes made in the same Parliament repealed. *BP.* Pardon.

King Henrie the fourth.

- Purveyors.** 14 Whosoever maketh purveyance of any thing to the value of 1*l*. 8*s*. 0*d*. under, for the Kings house, shall make ready payment. AB. Purveyors 22. 20.H.6.2.
- Hereticall doctrine.** 15 None shall preach without the licence of the Diocesan of the same place, saving Curates in their Churches, and such as bee privileged by the Canon Law. None shall preach or write any Booke contrary to the Catholike faith, or determination of the holy Church: nor shall make any conventicles of such sects and wicked doctrines, nor shall favour such preacher. Curie & vicarie may convent before him, and imprison any person suspected of heresie. An obstinat Heretike shall be burned in an open place before the people. BR. 25. H.8. 14.& 1.Eliz.1.& 1.Edw.6.12. 5.R.2.5. 2.H.5.7. 1.& 2.P.& M.6.
- Welshmens oppressions.** 16 If those Welshmen which doe arrest, take, and carrie away any Englishman, or his goods, or cattel, into Wales, do not within by dayes (after letters Testimoniall thereof sent to the officers of those parts in Wales) release them, then it shall be lawfull to the English people so grieved, to doe the like to any people of those Seignories in Wales, where the said offenders do dwell. AL. 20. H.6.3. so; the penaltie.
- Welshmen.** 17 If a Welshman shall commit any felonie in England, and then fly into Wales, and after is thereof attainted by Writhe, or Abjuration in England, upon certifiat thereof made by the Kings Justices (before whom he shall be attainted under their seales) to the Lords and officers in Wales where he remaineth, present execution shall be made upon the offender. AL. 27. H.8. 26. S.Wales. 107. 108.
- Gardes.** 18 Lords & Merchants in Wales shall keep sufficient gardes in their castles and Seignories, that no riot, loffe, or hurt, come to the king or his people, by any Welshmen. AL. 27. H.8. 26.
- Welshmen.** 19 No Englishman shall be condemned at the suit of a Welshman, but by the iudgement of English Justices, or by English Burgeses, or Enquestis. AL. 27. H.8. 26.
- Welshmen.** 20 No Welshman shall purchase any Land in England, nor within the English Townes of Wales, upon paine to forfeit the same to the Lords of the Fee: nor shall he any burgesse, or have any Liberty within the Realme. AL. 27. H.8. 26.
- Liveries.** 21 A Confirmation of the Statute of 1. H.4.7. touching giving of Liveries or Badges, & retaining. And the Prince may give his honourable Liveries to his Lords, and mentall gentlemen, and they may weare them. 2.Ed.4.1.
- Suits.** 22 Licence given to any person to prosecute any suit contrarie to the Statute of 1. R.2. though it be prohibited by the same Statute. BR.
- Sheriff.** 23 The fees of the Sheriff of the Sheriffdoms of the Kings house. AB. Mar. 9. R.2.5. shall. 6.
- 24 All Processes awarded against those that were with the Duke of Yorks 23.R.2. in their wages then received, shall be discharged. BR.

Statutes made at Westminster crastino Michaelis, Anno

4.H.4. & Anno Domini 1402.

- Confirmation** 1 A confirmation of the liberties of the holy Church, and of all corporations, and persons, of the great charter, the charter of the Forest, and of all statutes not repealed.
- Infidiatores viarum.** 2 The words and termes Infidiatores viarum, et depopulatores agrorum, shall not be put in Indiments, Arraignments, Appeals, nor any other impeachment, but other words purporting the like effect. CL.

- 3 All former Statutes made by the kings progenitors for the preservation Confirmation of the liberties of holie Church, and for the conservation of the priuiledges of the Clergie, confirmed. In consideration whereof the Clergie promised to the king in Parliament, That a Clerk convicted for treason touching the king himselfe, or for being a common thief notoriously detected, and delinquent to the D^y Purgation, shall not make his purgation.
- 4 The king will graunt no lands, wards, marriages, or other commodities, Patentes, but to such as haue deserved them. *EP.*
- 23.H.6.10. 5 Euerie Sheriffe shall in person continue in his Bailiwike, and shall not Sheriffe. let the same to surme. *AB. Sherifes 3. f.*
- 6 There shalbe a seale of lead provided to seale clothes brought, woven, made, and fulled, within London and the Suburbes thereof, upon paine of forfeiture of the cloth to the king, otherwise put to sale. *EP. 5. Ed. 6. 6.*
- 1.R.2.9. 7 The disseisor shall haue an Assise against the disseisor taking the profits Perjury of during the disseisors life. And in other writs of plea of land the demandant profits. shall commence his suit within the years against the tenant of the freehold. *AL. 27. H. 8. 10.*
- 8 In what cases a speciall Assise is maintainable against a disseisor with Assise. force. *AB. Assise 6.*
- 7.H.4.12. 9 A remedie to discharge Commissioners distrained to returne Commis- Commissioners ons which neuer came to their hands. *AB. Commissions 1. ners.*
- 10 The third part of the silver which shall be brought to the Bullion shall Halpence. be made in halpence and farthings. And no Goldsmith shal melt them, upon paine to pay to the king the quadruple.
- 1.H.4.12. 11 Commissions shall be directed to Iustices and others, to inquire of Weares. Weares, Rides, &c. raised in great Ritters, whereby the passage of ships and boates is hindered, and fish destroyed, and to punish the offenders by fine. *EP.*
- 12 The Statute of 15. R. 2. 6. confirmed, viz. That in all Appropriations Appropriatis. of benefices, there shalbe provision made for the poore of the Parish, and the Vicar (except the Church of Waddenham in the Isle of Ely, appropriated to the Archdeacon of Ely) *AB. Ecclesiasticall &c. 33.*
- 13 A confirmation of the Statute of 1. Ed. 3. 5. & 25. Ed. 3. 8. touching ser- Service in uice in warre. But all men which hold of the king to do any service in warre, warre. shall doe the same, notwithstanding any former Statutes.
- 14 No Labourer shalbe retained to worke by the worke, nor shall take any Labourers. hire for holie dayes, or for the euen of feasts (seeing they labour not but untill none) but for halfe a day. *EP. 5. Eliz. 4.*
- 17.H.6.3. 15 Merchants strangers and Denizens shall bestow their money recei- Merchants. ued for merchandizes, upon other merchandizes of this Realme. *AB. Mar- chants 9.*
- 17.Ed.4.1. 3.H.7.8. 9.Ed.3.1. 7.R.2.2. 16 No man shal carie gold or silver south of this Realme, saving for his rea- Gold and sonable expences. *EP.* silver.
- 17 No frier of the fourre Orders, viz. Pinars, Augustines, Preachers, friers. and Carmelites, shall receive into their said Order any Infant, unless he be entred into the age of xiiij. yeares, without the consent of his father, mother, Tutor, or next friends of blood, upon paine to be punished by the discretion of the Lord Chancelor of England. And the fourre Princi- als of the sayd fourre Orders, laying their right hands on their breasts, take an oath, and promised in Parliament to performe the same to them and their successors for ever. *CB.*

King Henrie the fourth.

- Attorney.** 18 The punishment of an Attorney found in default. AB. Attorney 11.
- Attorney.** 19 No officer of a Lord of a franchise shall be Attorney in the same franchise. AB. Attorney 8.
- Customers.** 20 Customers, Controllers, Searchers, and the Licutenant of the Kings Butler, shall abide upon their Offices, without making any deputies. And euerie Customer shall be swoyne to aunswer the King all profits. AB. Customes &c. 24. 25. 1.H.4.13.
- Marchandise.** 21 All marchandises comming into the Realme, and going forth, shall be charged and discharged in great Ports, and not in crakers, except they arrive by compulsion of tempest. AL. 1. Eliz. 11. 3.H.6.3.
- Searchers.** 22 Searchers in euerie port shall be swoyne, that they shall not let their offices to farme, nor occupie the same by deputie. They shall take nothing of Passers of ships for their welcome or farewell, nor be host to any Merchant or Partner, upon pain to lose his office for ever, and make fine at the kings pleasure. Q. an CB.
- Incumbents.** 23 The remedie where by the kings presentation an Incumbent is put forth of his benefice. AB. Incumbent 1. 13.R.2.1.
- Judgements.** 24 Judgements given in the Kings Courts shall continue untill they shall be reuerced by Attaint, or Error. AB. Errour 7.
- Tolnage.** 25 Aulnage of clothes may be let to farme by imprisonment with the aduice of the Treasurer of England, and the Barons of the Exchequer, notwithstanding the Statute of 17.R.2.5. AL. 31.H.6.5.
- Hofler.** 26 An Hofler shall not make horse-bread. How much he may take for oats above the common price in the Market. AB. Inholders 1.2. 13.R.2.8. 32.H.8.41.
- Welshmen.** 27 Englishmen shall not be conuict by Welshmen in Wales, but by Englishmen of the next venue. English Burgesses that haue married Welsh women shall haue no franchises with English Burgesses. AL. 27.H.8.26.
- Wales.** 28 There shall be no Masters, Miners, Spinners, or Wagabonds, in Wales, to make commonthes or gatherings. 16.H.8.6.
- Wales.** 29 There shall be no congregations in Wales, but for necessarie causes, and by licence of the chiefe officers, and in their presence.
- Welshmen.** 30 No Welshman shall weare any armour in a Market Towne, Church, Congregation, or in the Highway, in affray of the people. AB. Wales 103. 16.H.8.6.
- Wales.** 31 No man shall carrie diuall or armour into Wales without the kings licence, but for furnishing English Castles and Townes. AL. 27.H.8.26.
- Welshmen.** 32 No Welshman shall haue any Castle, Fortresse, or House defensive, of his owne or others, to keepe, sauing Bishops and temporall Lords. AL. 27.H.8.26.
- Officer.** 33 No Welshman shall be any Justice, Treasurer, or other officer, or Licutenant in any office, or of Councell with any English Lord, except Bishops in Wales. AL. 27.H.8.26.
- Castles.** 34 Castles and walled Townes in Wales shall be kept by Englishmen, strangers to the Seigniorias where the same Castles be. AL. 27.H.8.26.
- Welshwomen.** 35 No Englishman that marieth a Welsh woman shall be in any office in Wales, or the Marches thereof. AL. 27.H.8.26.
- Leather.** 36 Shoemakers and Cordwainers may tanne leather, notwithstanding the Statute of 13.R.2.12. EP. 5. Eliz. 8.

Statutes made at Westminster Crafftino Hillarij, An.

5.H.4. & Anno Domini 1403.

Escheiture for Treason. ¶ 1 Those lands of Sir P. D. and S. L. D. and others attainted of treason, 7.H.4.9. son,

son, shalbe so; seited to the king, wherof they were seited to their own use, but not those wherof they were seited to the use of others. *RR.*

2 The penaltie of him that both obtaine pardon so; an approuer, which pardon, committeth felonie againe. *AB. Pardon 4.*

3 Watches shalbe made vpon the sea coast, by the number of people, in the places, and in manner and forme as they had wont to be. And this shalbe put as an article in the Commission of Iudices of peace, that they shall inquire of the offenders in their Sessions, and punish them. *AB. Watch 1.*

4 It shalbe felonie to multiplie gold or silver, or to vse the craft of multiplication *et. AB. Multiplication 1.*

5 It shalbe felonie to cut out the tongue, or put out the eyes of any of the kings subjects. *AB. Tongues; Eyes 1.*

11. H. 6. 11.

6 The penaltie of him which maketh assault or fray vpon the servant of a knight or Burgesse of the Parliament. *AB. Fighting 5.*

9. H. 3. 30.
9 Ed. 3. 1.

7 Merchants strangers shall be demeaned within this Realme, as Merchants, chauts Denizens be in other Realmes.

8 The Iudges may examine the plaintifes Attourney in an Action of Debt vpon the arerages of Accounts, and others whom they will, and allow the defendant to wage his law, or plead to an Assize. *AB. Wager 3.*

4. H. 5. 5.
18. H. 6. 4.

9 Customs and Controllers shall take sufficient suretie of Merchants Aliens, to employ the money coming of their merchandise, and by exchange, vpon the commodities of the Realme. *AB. 4. 6.* The Merchant Alien shall sell any merchandise to another Alien. Sufficient hostages shall be assigned in some towne, for Merchants Aliens, by the Justices, Officers, *et.* with whom and none other they shall continue. Merchants Aliens shall sell their merchandises within a quarter of a year. *AB. 6. H. 4. 4.*

10 None shalbe imprisoned by a Justice of peace, but in the common gaole. *AB. Prison 1.*

11 The farmers of Aliens lands shall pay tithes to the Parsons, Vicars, *et.* according to the law of the Church, though the lands be seited into the kings hands, or that any prohibition be made to the contrary. *AB.*

12 Execution may be awarded vpon a Statute once shewed in Court. *AB. Statute. Statutes 3.*

13 What things may be gildes, or laid on with silver, and what not. *AL. Gilding. 8. H. 5. 3.*

14 Enrolling of writs in the Common place, whereupon fines be levied. *AB. Chirographer 1.*

15 The kings Pardon.

Statutes made at Couentrie the 6. day of October,

Anno 6. Henrici 4. & Anno Domini

1404.

1 Whosoever shall pay to the Court of Rome for the first fruit of any Archbishopricke, or Bishopricke, or other seruices, more than of ancient time hath bin paid, shall forfeit to the king as much as he may lose. *AL. 25. H. 8. 20.*

2 The Statute of 1. H. 4. 6. touching petitions to be made to the king for petitions, lands, offices, *et.* shall not extend to the R. vnder or vnder. *AB.*

3 Commissions shall be directed to inquire of certayne officers accountants, and to make certifficat what they have received, and concerned. *AB. Accountants 53.*

4 A repeale of so much of the Statute of 5. H. 4. 9. as both ordaine Par-
chants

King Henrie the fourth.

chants Aliens to sell their Marchandises within a quarter of a yeare. But they shal carrie forth of the Realme no Marchandise brought in by Marchants Aliens.

Statutes made at Westminster 1. die Martij,

Anno 7. H. 4. & Anno Domini

1405.

- Confirmation** ¶ 1. A Confirmation of the Liberties of Holie Church, of the franchises of all Cities, Burroughes, and persons, of the great Charter, the Charter of the Forest, and of all Statutes not repealed. Peace shall be kept, and iustice shalbe done to euery person, saving to the King his Regaltie and Prerogative.
- The Crowne entailed.** 2 The Realmes of England and France, and all the Kings Dominions beyond the Sea, assured to King Henrie the fourth for his life, and after his decease to Prince Henrie his eldest sonne, and to the heires of his bodie begotten. And if he dye without issue, then to Thomas his second sonne, and the heires of his bodie begotten. And for default of such issue, to John his third sonne, and the heires of his bodie begotten. And for default of such issue, to Edmund his fourth sonne, and the heires of his bodie begotten.
- Escheats.** 3 A Confirmation of the Statute of 42. Ed. 3. touching Escheats. And Rells of Escheats shalbe made certaine. AB. Escheats 2.
- Escape.** 4 In an Action of Debt brought against a Gaoler which letteth a prisoner condemned to escape, no protection is allowable. AB. Escape 3. 1. R. 2. 12.
- Forfeitures.** 5 H. 4. and L. B. attainted of treason, shall forfeit those lands to the king whereof they were seised to their owne vse: but not those whereof they were enfeoffed to the vse of others. BP. 1. H. 4. 1.
- Bulles.** 6 Whosoener shall purchase any Bull to be discharged of Tithes, or shall trouble any person in respect thereof, shall incurre the penaltie ordained by the Statute of 2. H. 4. 4. AL. 13. Eliz. 2. 13. R. 2. 3.
- Arrow heads** 7 Arrow heads shall be well boyled, hared, and hardened at the point. AB. Arrow heads 1.
- Benefice.** 8 No Dispensation shall be made by the Pope, nor Licence or Pardon by the King, touching any benefice then full of an Incumbent. BP. 3. H. 5. 4.
- Marchandise.** 9 Clothes and other Marchandises may be sold in grosse, as well to all the Kings people, as to the Citizens of London, notwithstanding any franchise &c.
- Cloth.** 10 The whole coloured cloth shall containe in length xxvij. yards, and the cloth of Ray as much, and in breadth six quarters. And the Clothiers making them of lesse length or breadth, shall forfeit them to the King. BP. 9. 1. Ed. 3. 14. 47. Ed. 3. 1. H. 4. 6.
- Commissioners** 11 Commissioners not receiuing the Commissions, shalbe discharged upon their oathes. AB. Commissions 1. 4. H. 4. 9.
- Forfeiture.** 12 Those lands shall not be forfeited to the king, whereof J. S. and L. B. attainted of treason, were enfeoffed to the vse of others: but only those which came to them by descent or purchase. BP.
- Attorney.** 13 Impotent persons that be outlawed may make Attorneyes. AB. Attourney 10.

- 14 A Confirmation of the Statute of 1.R.2.7.& 1.H.4.7.touching giuing Liveries.
o; taking of Liveries. So Congregation o; Companie shall make any Livery of cloth, o; of hats. AB.Liveries 1.4.
- 11.H.4.1.
23.H.6.15. 15 The manner of the election of the Knights fo; the Parliament. AB.Parliament 4.
- 16 They which haue annuities by the grant of the king, o; any of his predecessors of an elder date, to be paid by the hands of the Sherifes, shall be satisfied before them whose grants be of a later date. EP.
- 8.H.6.11.
11.H.7.11. 17 No person shall put his sonne o; daughter to be an apprentice in a citie, Towne, Borough, vnlesse he hath lands o; rent to the yerely value of xx.s. EP. 5. Eliz. 4. as to all other cities sauing London o; Norwich.
- 18 None shall be punished fo; the repressing of the Riots and Insurrections, which haue bene made since the kings comming into the Realme. EP. Riots.

Statutes made at Gloucester 20. die Octobris,

Anno 9. Henrici 4. & Anno Domini

1407.

- ¶ 1 A Confirmation of all the liberties of holie Church, and of all persons, Cities, and Boroughes (except the franchises late granted to the Schollers of the Vniuersitie of Wyke) and of all Statutes not repealed.
- 1.H.4.19. 2 Hendall cloth whereof the dozen exceedeth not vij.s. viij.d. shall not be sealed with the Kings Seale, nor Aulnage paid fo; it. AL. 7. Jac. 16.
- 3 Felons and robbers in Southwaies shall be apprehended and brought to the Gaole, o; else the countrey shall satisfie fo; their offences to the parties, by the award of the Lord of the same Seignioie. AL. 27. H. 8. 26.
- 4 A felon in Wales openly knowne, shall not be suffered to disclaime out of the Seignioie where the felonie was done. And such disclaimeing shall be utterly put out. AL. 27. H. 8. 26.
- 5 A remede where Lords of ancient demesne, o; Priours, o; Bailifes in Dissesors, Aulse, o; other tenet, by collusion be named disseisors, to take away their franchise. AB. Aulse 9.
- 6 A repeale of the Statute of 7. H. 4. 10. touching the length and breadth of Cloth.
- 1.Ed. 3. 6. 7 The goods and cattels of Forreines shall be chargeable to the payment of the fifteene where they be the tyme of the graunt of the same. AB. Fifteenes 1.
- 8 Money shall not be carried out of this Realme to the Court of Rome. Money. Elections of Archbishops and Bishops shall be free, and not be interrupted by Bishops, the Pope o; the King. AL. 25. H. 8. 20.

Statutes made at Westminster Quindena Hillarij,

Anno 11. H. 4. & Anno Dom. 1409.

- 1.H.4.1.
23.H.6.15. 1 The penaltie of the Sherife, which maketh an untrue returne of the Parliament. election of the Knights of the Parliament. AB. Parliament 4.
- 20.H.6.5. 2 No common Hostler in a City o; Borough shall be a Customer, Control, Customes, ler, finder, o; Searcher. AB. Customes 23.
- 3 Justices of Assise shall deliuer into the Tresurie, Records of Assise, &c. Records, Records shall not be amended o; impaired after iudgement giuen and inrolled. AB. Records 1.

King Henrie the fourth.

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| Unlawfull
games. | 4 He that offendeth in playing at unlawfull games prohibited by the Statute of 12.R.2.6. shall be imprisoned vs. dayes. <i>EP.</i> 33.H.8.9. | |
| Gallie halfe-
pence. | 5 Gallie halfe-pence shall not be current in payment in this realm, upon the paines of forfeiture thereof. <i>EP.</i> | 2.H.4.6.
13.H.4.6. |
| Cloth. | 6 No man shall tack and pleight together clothes, before the Aulnager hath searched, and set his seale to them. <i>AB.</i> Draperie 87. | 13.R.2.11. |
| Cloth. | 7 Merchants strangers shall pay their customes and Subsidies granted to the king, for clothes cut in peeces, and for clothes cut into garments, according to the quantitie of the same. <i>EP.</i> | |
| Exchanges. | 8 The Chancelloz of England shall euerie fiftene dayes send the Cestrears of exchanges taken of Merchants, according to the Statute of 14.R.2.2. into the Exchequer, that the Customer may be examined by them. <i>CE.</i> | 9.H.5.9.
14.R.2.2. |
| Jurors. | 9 Jurors in Indictments shall be returned by the Sheriffe, without denomination of any. <i>AB.</i> Jurors 7. | 3.H.8.12.
11.H.7.24. |

Statutes made at Westminster Craſtino Animarum,

An. 13.H.4. & Anno Domini 1411.

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| Confirmation | ¶ 1 Holis Church, and all Cities and Borooughes, shall enjoy their liberties and franchises, except the franchise late granted to the Schollers of the Universitie of Wyndesore. The great Charter, the Charter of the forest, and all other Statutes not repealed, confirmed. | |
| Chief Justice | 2 The Statute of 8.R.2.3. touching Justices of Assise and Quo'e delinere, confirmed. The chiefe Justice of the Kings Bench shall not be Justice of Assise in any Countie, but in Lancashire. <i>EP.</i> | |
| Liveries. | 3 A confirmation of the Statute of 1.R.2.8. 1.H.4.7. & 7.H.4.14. touching giving and taking of Liveries. | |
| Clothes. | 4 A confirmation of the Statute of 7.H.4.10. & 11.H.4.6. touching Clothes, Clothiers, and Aulnagers. | |
| Officers. | 5 All Customers, Controllers, Gaugers of wine, and Searchers, shall be continually resident upon their offices. <i>AB.</i> Customers 26. | 1.H.4.13.
4.H.4.20. |
| Money. | 6 No Gallie halfe-pence, Scottish money, or other forreine money, shall be current within this Realme, according to former Statutes. <i>EP.</i> | 2.H.4.6.
11.H.4.30. |
| Riots, &c. | 7 The Justices of peace, and the Sheriffe, shall arrest those which commit any Riot, Rout, &c. inquire of them, & record their offences. <i>AB.</i> Riots 1. &c. | 11.H.7.7.
2.H.5.8. |

Statutes

Statutes made at Westminster 29. die Aprilis, Anno

1. H. 5. & Anno Dom. 1413.

7. H. 4. 15.
23. H. 6. 15.

What sort of people shall be chosen, and who shall be the chusers of the knights of the Shire, and the Burgesses for the Parliament. AB. Parliament 4. 9.

2 A Confirmation of former Statutes made against the lewdears, wearing and straitning of Cleares, Gills, Stankes, Stakes, and Ribels.

3 In an Action of Forgery of false deeds, the partie grieved shall recover forgering his damages, and the defendand shall make fine at the kings pleasure. EP. 5. Eliz. 14.

4 Sherifes Beilifes shall not be in that office thre peares after. Sherifs officers shall not be Attorneys. AB. Sherifes 26. Attorneys 7.

5 In originall writs, tohere an Exigent shall be awarded, additions of the names of the defendands shall be put. AB. Additions 1.

6 No Welshman shall take or attempt reuenge, by force, or law, against welshmen, any of those Englishmen which did pursue or sea them or any of their friends in the late rebellion. EP.

7. R. 2. 12.

7 A confirmation of the Statute of 13. R. 2. 2. restraining Aliens to accept any Benefices in England: Except Priors Aliens conuentuall, and other Benefices, Priors, which haue institution and induction, so that they be Catholike, and find suretie not to disclose the counsell and secrets of the Realme. CB.

1. H. 6. 3.
2. H. 6. 8.

8 All Irishmen that depart the Realme before the feast of Michaelmas, except Gradus, ats in Scholes, Sericants, and Apprentices at the Law, Inheritors in England, Merchants of god name, and their Apprentices, Religious persons, pouses, felled, and they with whom the king will dispence. Irishmen which haue benefices or offices in Ireland, shall dwell upon them. Q. an CB.

9 The reuenues of Calice and the borders thereof, shall be employed to the maintenance of it, and not to any Patenters. EP.

4. Ed. 3. 3.
25. Ed. 3. 1.

10 By what measure Purueyors or other shall take or buy coine. AB. Purueyors 16. Measures.

Statutes made at Leicester 30. die Aprilis, Anno

2. Henr. 5. & Anno Domini

1414.

24. Eliz. 5.

¶ Ordinaries shall enquire of, and reforme the foundation, estate, and governance of Hospitals. AB. Hospitals 1.

2 A Corpus cum causa, or Certiorari, to remoue into the Channecerie him which is in execution at another mans suit. AB. Corpus &c. 1. Corpus cum causa.

3 A Libel grantable in the Spiritual Court, shall be presently deliuered. AB. Libell. Prohibition 10.

4 Iustices of peace haue authoritie to send their writs for fugitive seruants and labourers, to every Sherife of England, to bring them before them to answer for their offences. EP. 5. Eliz. 4. which Iust. of the peace and Quorū must be resident within the same Shire, and which not. And at what times the Iustices must hold their Quarter Sessions. AB. Iust. of peace 1. 5. Iust. of peace.

13. R. 2. 10.

9. H. 5. 7.
11. H. 7. 9.

5 If any person dwelling in Lindale, or Cranshire, in the Countie of Northumberland, shall commit any Treason, Murder, or Felonie, out of those Franchises, pouses shall be made against him untill he be outlawed: And then the Iustices before whom the Outlawrie is returned, shall make Certificat thereof

King Henrie the fifth.

thereof to the officers of the said franchises. And such felon shall be taken, and his lands and goods shall be seized into the hands of the Lords of the same franchises, as forfeit. AL. 14. Eliz. 13.

Safeconducts.

6 Breaking of Trece and Safeconducts shall be high Treason. HP. 20. H. 14. H. 6. 8. 6. 11. In euerie Port of the sea one shall be appointed by the R. Commission Conseruator of the Trece, and the Kings Safeconducts. 29. H. 6. 2.

Lollards.

7 Because there be great rumors, congregations, and tumults, by a Sect of Heretikes called Lollards, and others of their confederacie and inticement, to the intent to subuert the Christian Faith, the Law of God, and holie Church, to destroy the King, and all other Estates of the Realme, as well Spirituall as Temporall, and all manner of Policie, and the Lawes of the Land utterly: Therefore to fortifie the Christian Faith, the Estate of the King & the Realme, the Chauncello, Treasurer, Iustices, Sherifes, Priors, Bailiffs, and all other Officers hauing government of people, shall receiue an oath when they undertake their charges, to do their whole endeavour to rot out & destroy all errors and heresies called Lollards, within the places where they execute their offices. All persons commit of heresie by the Ordinaries or their Commissaries, left to the secular power, according to the lawes of holie Church, shall forfeit all their lands and tenements which they haue in fee simple, to the Lords of the fee, as in case of Attainder of felonie, and all their goods and chattels to the King. HP. 1. Ed. 6. 12. 1. Eliz. 1. 5. R. 2. 5. 2. H. 4. 15. 1. & 2. P. & M. 6.

**Heretikes
forfeitures.**

Riots.

8 Commissions shal be awarded to enquire of the default of Iustices, Sherifes, &c. that ought to arrest and punish Riots: Who shall returne the Iurie: The punishment of the offenders. AB. Riots 6. & c. 13. H. 4. 7.

Rumagete.

9 A Bill of complaint shall be exhibited into the Chancerie against him which doth commit any Murder, Robberie, Batterie, &c. and after doth flee into woods or unknowne places: And from thence a Capias shall be awarded against him returnable into the Kings Bench. CB. 1. H. 6. 14.

Other Statutes made at Westminster 19. die Nouembris,

Anno 2. H. 5. & Anno Dom. 1414.

Iust. of peace.

¶ 1 What sort of men shalbe Iustices of peace. AB. Iust. of peace 1. 13. R. 2. 7.

**Chapleines
wages.**

2 The yearely wages of Chapleins shalbe iij. l. iij. s. iij. d. and Parish Priests vi. l. for their boyd, apparell, and other necessities. CB. 36. Ed. 3. 8.

Jurors.

3 Of what estate those Jurors must be, which are to passe in any Enquest touching the life of man, plea reall, or damages. AB. Jurors 11. 8. H. 9. 29. 28. Ed. 3. 13.

Gilding.

4 There shal be no gilding of silver ware, but of the alloy of English Sterling. AB. Gold 7.

Welshmen.

5 If any Welshman which doth forcibly take & detaine any Englishman, untill he be ransomed, will not vpon proces awarded against him by the Iustices, appeare and answer the same, untill he shalbe outlawed: The Iustices shal certifie the same vnder their seales to the officers of the Seigniors where such Outlaw is, who shal apprehend and do execution of him according to the law. AL. 27. H. 8. 26. Wales 1.

Staple.

6 Merchandises of the Staple, viz. Wools, Fels, Leather, Lead, Tinne, shall not be carried to any parts beyond the sea, without the kings licence, untill they be first brought to the Staple. CB.

Money.

¶ 1 A Statute made at Westminster 4. die Nouem. An. 3. H. 5. & Ann Dom 1415. The money called Gallie halfe-pence, Duskins, or Dotkins, and all cottish money of silver, shall be put out, and not current for any payment in England. And it shalbe felonie to make, coyne, bring into the Realme, to sell, or put in payment any of the same, &c. CB. 2. H. 4. 6. 9. 11. H. 4. 5. 13. H. 4. 6.

Other

Other Statutes made at Westminster 6. die Martij, Anno

3. H. 5. & Anno Dom. 1415.

¶ 1 A Confirmation of the Liberties of holie Church, & of the franchises Confirmation
of all persons, Cities, Buroughes, &c. not repealed.

An. 5. H. 5.
9. H. 6. 10.

2 Certaine Abbots, Priors, and other religious persons, in the Counties Attorneys.
of Lancaster and Yorke, which haue possessions in Staine-clife Wapentake,
and Friendlesse Wapentake in Craven in the Countie of Yorke, may make
Attorneys in the Courts of the said Wapentakes, EXP.

3 All Wytons not made Denizens, shall depart the Realm before the feast Wytons.
of I. upon paine of life and member. EXP.

7. H. 4. 8.

4 All Provisions made by the Pope, or Licences, or Pardons by the king, Benefices.
touching any benefices full of an Incumbent, shall be void. EXP.

13. R. 2. 18.

5 Upō a false verdict given in Assises, Juries, & all other Enguests before the Attaint in
the Priors & Sheriffs of the county of the city of Lincoln, an Attaint may be brought
in the B. Bench, or Common place, triable by foreins of the county of Lincoln. R.

5. Eliz. 11.

6 Clipping, washing, and filing of money of this Realme, shall be adjudged Clipping of
high treason. R. 1. E. 6. 12. & 1. M. 1.

7 Just. of Assise shall haue authoritie in their Sessions to heare & determine False money.
the counterfeiting & bringing in of false money, and of clipping, washing, and
other falsitie. And Justices of peace shall inquire thereof, and make proces by
Capias onely. R. 1. M. 1. 1. E. 6. 12.

31. Ed. 3. 4.
21. H. 8. 5.

8 No Dominarie shall take for the probat of a Testament, with the Assen- Probat of
toyle, more than was accustomed in the time of R. E. 3. upon paine to paye to
the parties grieved treble of that he hath received. R. 1. 1. Touching the probat of
Testaments.

Statutes made at Westminster 19. die Octobris, Anno

4. H. 5. & Anno Dom. 1416.

¶ 1 The great Charter, the Charter of the Forest, & all other Statutes not Confirmation
repealed, confirmed.

4. Ed. 4. 9.

2 Sheriffs shall haue allowance upō their accounts of things casual. R. Sher. 37 Sheriffs.

3 No man shall make any pattens or clogs of Aspe, upon paine to forfeit C. s. Patens.
R. 1. Lac. 25.

4 The penaltie assigned by the Stat. of 12. R. 2. 4. for giuing and taking of wages.
excessive wages, shall be hereafter inflicted only upon the taker. R.

5 A confirmation of the Stat. of 5. H. 4. 7. & 9. touching the vsing of Par. Marchants.
chants strangers, and for appointing of hosts to them.

6 If an Archbishop or Bishop of Ireland (rebell to the king) shall make colla- Irish.
tion of any benefice to an Irishman, or bring any Irishman to a Parliament
or assemble in Ireland, to discouer the counsell of Englishmen, his Compo-
ralties shall be seised, until he hath made fine to the king. CE.

7 Where the R. enemies shall break truce upō the sea, or in Scotland, Letters Letters of
of Parque vnder the great Seale shall be granted to him which is thereby grie- Parque.
ued, & cannot haue recompence. R. 4. Lac. 1. for so much thereof as doth concerne Scotland.
the people of Scotland.

8 The R. pardon of the suit of his peace, & of all issues, fines, forfeitures, & Person.
merciaments, and debts, to the summe of xxvj. s. viij. d. and vnder. R.

¶ 1 A Stat. made at Westminster 11. die Ianuarij, An. Dom. 1417. An. Attorney.
5. H. 5. All religious & secular persons, until the next Parliament, may make

Attorneys in plea of Debt, Trespass, or other contracts, in any Wapentakes,
Hundredes, and Courts Baron, through the Realme. R.

18. H. 6. 12.
9. H. 5. 1.

¶ 1 A Statute made at Westminster 10. die Ianuarij, An. Dom. 1419. Indictment in
& Anno 7. H. 5. A remedie against those which doe indict or appeale others of Lancashire.
Treason or Felonie committed in a place in the Countie of Lancaster, where
as

King Henrie the fifth.

Forging
deeds.

as there is no such place. CB. The like *Writ*s shall be awarded against them
which make & publish false deeds by *Capias* and *Exigent*, as in *Writ*s of *Tref-*
pass. EP. 5. Eliz. 14.

Statutes made at Westminster 2. die Decembris,

Anno 8. H. 5. & Anno Dom. 1420.

Parliament
writs.

¶ 1 In the kings absence in France the *Teste* of *Writ*s to summon the
Parliament, shalbe in the name of his Lieutenant, and by his returns it shall
not be dissolved. EP.

Silver in
Bullion.

2 A pressed quantitie of gold & silver in Bullion shall be brought to the
mint by Merchants strangers, in stead of wooll & tinne transported, not
brought to the Staple. CB.

Gold.

3 What things only may be gilded, & what laid on with silver. AB. Gold 7. 5. H. 4. 13.

Statutes made at Westminster 2. die Maij, Anno 9. H. 5.

& Anno Domini 1421.

Appeales.

¶ 1 The Statute made Anno 7. H. 5. touching Appeales & Indiments
in Lancashire, shalbe in force untill the next Parliament, after the kings re-
turne into England. EP.

Outlawes
in Lancashire.

2 No person outlawed in the Countie of Lancashire shall forfeit any lands
& goods, but such as he hath in the same Countie. EP. 33. H. 6. 2. A Confirmation
of the Statute of 1. H. 4. 18. touching *Writ*s against one of the County
of Chester. 12. H. 6. 13. 20. H. 6. 1. 31. H. 6. 6.

Protections.

3 Protections granted to them that be in the kings service in Normandie
& France, and which shall passe with him into France. EP. 4. H. 6. 1. 14. Ed. 4. 1.

Records.

4 The Justices before whom any default shalbe found in any Records &
*Writ*s, may amend the same before Judgement given. AB. Records 1. 14. Ed. 3. 6. 4. H. 6. 3. 8. H. 6. 15.

Herites.
Escheatoys.

5 During foure yeares the king may make Herites and Escheatoys to
continue in their offices above one yeare, notwithstanding the Statute of 14.
Ed. 3. 7. EP.

Mint.

6 The mint and Coyuage shall be at Calice, so long as it shall please the
king. EP.

Ridebale.

7 The Statute provided 2. H. 5. 5. for such of Lindsale & Cranshire, as
shall commit Treason, Murder, & Felonie, out of those franchises, shall be
extended in all points against the like offenders within the franchise of Ri-
debale, which be called In-takers, and Out-posters. And the king and all o-
ther persons shall have the like forfeitures. 11. H. 7. 9. 14. Eliz. 13.

Schollers of
Oxford.

8 Schollers of the Universitie of Oxford, which being armed & unknown,
doe disseise others of their lands, & doe hunt in Parks, Forests, & Warrens,
& doe take Clerks convict out of the Ordinaries wards, shall have *Writ*s aw-
arded against them, untill they be outlawed, which Outlawie being certi-
fied by the Justices to the Chauncellor of the Universitie, he shall presently ban-
nish them out of the same Universitie. EP.

Collectors.

9 No Abbot & Prior shall be appointed by any Bishop to be Collector of
Dimes & subsidies, out of the Countie where he dwelleth. EP.

Wreles.

10 Wreles that carrie sea-coales in the Port of Newcastle, shalbe measured
and marked by certaine Commissioners before any carriage be made by them,
upon paine of forfeiture of them. EP.

Gold.

11 No English gold shall be received in payment but by the kings weight. 15. Ed. 3. 13. 5. Ed. 6. 12.

12 Writs

18. Eliz. 16. 12 Writs purchased by the Wardens of the new Bridge of Rochester, or Rochester
27. Eliz. 25. their successors, or by other against them, shall be effectual in law, though they
or some of them die, or be removed, hanging the suit. R.

Other Statutes made at West. 2. die Decembris, Anno

9. H. 5. & Anno Dom. 1421.

1 A Confirmation of all Statutes made touching the government of Money.
money, which be not repealed.

2 All men may resort to the Kings Exchanges in open places, or to the Exchange of
Tower of London, to have money new coined, paying for the Seignorage and
Cunage of gold, after the rate of v. s. for the pound of the Tower, and for the
Seignorage and Cunage of silver x. s. for the pound, and no more. And they
that will not come to the Tower, shall pay for the exchange after the rate of a
penie for the Noble, and for the halfe Noble, ob. 4. R.

3 At the Tower, or Kings Exchanges, good and lawful money shall be deli- Defaulr in
uered, and if any notable default shall be found in the weight or alloy, it shall be Money.
lawfull to euery person to refuse that which is defective, before hee depart the
place where he shall receive it. R.

4 The officers of the Kings Exchanges shall bring to the Tower of Lon- Silver & gold
don to be coined all the silver and gold which they buy or exchange. R. exchanged.

5 The Kings Mint shall be coined and made at Calice, as it hath bin at Lon- Mint.
don. R.

6 All money of gold and silver shall be made of as good alloy and weight as Money.
it is now made at the Tower. R.

7 The Chancellor of England shall send the weight of the Noble, halfe No- weight of
ble, and Farthing of gold, to euery, Citty, Borough, and Market Town, that Gold.
will haue them, to the intent they be not deceived by false weights. R.

8 Commissions shall be awarded to certain persons, to enquire of falsifiers Counterfeit
of weights, and to imprison them. And so may Iustices of peace, Sheriffs, and Weights.
Escheators. AB. Weights 13. Iustices of peace 92.

14. R. 1. 2.
11. H. 4. 8.

9 For euery Exchange to be made by Merchants, they shall be bound in the Exchanges.
Chancerie, to buy within nine moneths after commodities of the Land, to the
value of the thing exchanged, vpon paine of forfeiture of the same. R.

10 Collectors of Wines & Fiskines, which be hindered of their accounts Collectors.
by the slackness of their companions, shall haue an Action of Debt against
them for the summes which they shall pay for them. R.

Statutes

King Henrie the sixt.

Statutes made at Westminster 8. die Nouembris,

Anno 1. H. 6. & Anno Dom. 1422.

- Spint.** 1 **M**asters and Workemen may be assigned by the Kings Counsell to coyne money, and hold the Exchanges in Pozke, Bristow, and as many other places as shall seme necessarie vnto them. **EXP.**
- Burueys.** 2 **Euerie** Sheriffe shal proclame all the statutes of Burueys in his Bailiweke, four times in the yeare, vpon paine to forfeit 100. s. to the king. **CB.**
- Irishmen.** 3 **No** Irishman shal come to dwell in England, vntlesse he bring to the Chan- 1. H. 5. 8. cels of England letters vnder the seale of the Lieutenant or Iustices of Ire- land, testifying that he is of the kings obedience. And all Irishmen shal depart from hence within a moneth after Proclamation, vpon paine to lose their goods, and to be imprisoned at the R. pleasure, except Graduates in the Scholes, those which haue father & mother English people, Beneficed men, Inheritoys in England, Religious persons, Merchants, Burgesses, men of Law, and mar- ried persons to English men or women, being of good fame. None of them shall be Principall in any Hall or Hospitall, but be vnder government. And they 2. H. 6. 8. shall find sureties of their good behauiour. Q. for the yfe.
- Spint.** 4 **The** Master of the Spint in the Tower may hold the Kings Exchange in London, so that he send to the Spint to be coyned all that shall come to the Ex- change in plate, or in masse. **EXP.**
- Recompence for service.** 5 **The** thirds, and the thirds of the thirds of all gaires obtained in warre, pertaining to king H. 5. the day of his death, as well of prisoners taken, as of other gaires of warre, shall be debited by account in the Exchequer to satisfie them, or their executors, who indentured to serue the said king in his wars. And they to whom King Henrie the sixt left any Jewels in gage, shall retaine them, or haue recompence for them, except they haue the auncient Jewels of the Crowne. **EXP.**

Statutes made at Westminster 10. die Octobris, Anno

2. H. 6. & Anno Domini 1423.

- Confirmation** 1 **A** Confirmation of the Liberties of holie Church, and of the fran- chises of all persons, Cities, and Boroughes.
- Hospitall of S. Leonard.** 2 **The** Master and Brethren of the Hospitall of S. Leonard of Pozke, may haue Writs or Plaints of Debt or Detinne, to recover a thraue of coyne of e- uerie plough land within the Counties of Pozk, Cumberland, Westmerland, and Lancaster, due to them vpon their first foundation, or may leuie, gather, and take the same thraues: sauing where they haue compounded. **EXP.**
- Duke of Bedford.** 3 **John** Duke of Bedford being in the kings seruice in France, shalbe re- ceived to defend his right by Atturney. **EXP.**
- Staple. Calice.** 4 **All** Wools, Fels, Leather, Lead, Tinne, and all other merchandise of the Staple, passing out of England, Wales, and Ireland, shall be carried to Ca- 1. R. 2. 16. lice, so long as the Staple is at Calice, vpon paine of forfeiture thereof. And no Licence shall be granted to the contrarie, but for the Wools, Fels, and Lea- ther of Northumberland, Westmerland, Cumberland, and the Bishoprick of Durham. **EXP.**
- Calice.** 5 **If** any carrie Wools or Fels not customed out of the Realme, but to the Staple at Calice, he shall forfeit the value thereof, and be imprisoned untill he hath paid a fine. **EXP.**

- 2.H.4.5.
9.Ed.7.1.
5.R.2.2.
17.Ed.4.1.
2.H.7.5.
19.H.7.19.
- 6 A confirmation of the Statute of 9.H.5.5. touching money. For what Money causes only gold or silver may be carried forth of the Realme. AB. Mony 3. And to performe the same Merchants Strangers shall find sureties in the Chancery. AB. Merchants 9.
- 7 No Cordwainer shall be a Tanner, upon paine of forfeiture of vj. s. viij. d. Cordwainer. for everie hide by him tanned. And for everie defraius hide by him tanned, hee Tanner. shall forfeit as much. R. 5. Eliz. 8.
- 8 The Chancelors of the Universities of Oxford and Cambridge shall Irishmen. take sureties of Irish men resorting thither, for their good abearing, according to the Statute of 1.H.6.3. and certifie the same into the Chauncerie: and the Justices of Peace within Counties, and Mayors and Bailiffs within Cities and Boroughes, shall take like sureties, and do execution against them which shall offend. C. Q.
- 9 The money called Blankes shall be wholly put out, and whosoever shall Blankes. receive or pay the same, shall incurre the penaltie ordained 3. H. 5. for Cally halfe pence &c. CB.
- 10 What manner of inferior officers shall be appointed in the Kings Courts Officers. by principall officers. AB. Officers 2.
- 11 The measure of a Tunne, Pipe, Tertian, and Hoghead of wine, of a Measures. Barrell,ilderkin, ferkyn, and Tertian of Celes, Herrings, and Salmones. AB. Wines 13.
- 12 The Masters of the Mint shall keepe his allaye in making of white mo- Master of the Mint. ny, according to his Indenture. The Kings Assayer and Controller shall bee indifferent betwene the Master of the Mint and the Merchant. The Master of the Mint shall convert into money all the gold and silver which he shall receive.
- 13 No persons shall buy or sell silver in plate, piece, or masse, being of as The price of silver. good allay as the sterling, above xxx. s. the pound of Troy, beside the fashion, v. upon paine of forfeiture of double. Q. an CB.
- 17.Ed.4.1.
18.Eliz. 14.
- 14 Varneys of silver shall bee as fine as the sterling and it shall be touched fineness of silver. and marked with the Leopards head. AB. Gold 3. 4. 5. 6.
- 15 No man shall fasten nets to any thing over Rivers. AB. Hauens Nets. 2.

Statutes made at Westm. 30. die Aprilis, Anno 3.

Hen. 6. & Anno Dom. 1425.

- ¶ 1 It shall be felonie to cause Malons to confederat themselves in chap- Malons. ters and assemblies, whereby they so doe. And all other Malons which come to such assemblies shall be imprisoned, and make fine at the kings pleasure. AB. Malons 1.
- 2 Whosoever shall transport any sheepe to any parts beyond the sea, with- sheepe. out of the kings licence (saving to victual Calice) shall forfeit them, or the value of them. AL. 8. Eliz. 3. touching the penaltie.
- 4.H.4.20.
- 3 The penaltie of a Customer, Collector, or Comptroller, concealing the Customer. Kings custome. AB. Custome 14.
- 18.H.6.3.
- 4 The Chaunceloz of England may graunt licence vnder the great Seale Butter and to any, to convey Butter and Cheese to any other place beside the Staple. AL. Cheese. 1. & 2. P. & M. 5.
- 13.Eliz. 18.
9.H.6.9.
- 5 The Chaunceloz of England may graunt commission to all times next, The Riner of Ley. full to indifferent persons dwelling thereabout, to redresse the defaultes of the Riner of Ley running from Ware to Thames. R.

King Henrie the sixt.

Statutes made at Leiceſter 18. die Februarij,

Anno 4. H. 6. & Anno Domini

1425.

Sherife.

¶ 1 Everie ſherife ſhall retorne into the Kings courts all writs directed to him, at ſuch dayes as they be returnable: And ſhall warne all perſons in convenient time to appeare in the Kings Courts, that be impanelled to paſſe in Enqueſts: And otherwiſe the party grieved may have his Action upon the caſe againſt him, & recover double damages. *EP.*

Protections.

2 A confirmation of the ſtatute of 9.H.5.3. touching Protections graunted to thoſe who were in Poſſeſſion of France in warre. *EP.*

Records.

3 A Confirmation of the ſtatute of 14.Edw.3.6.& 9.H.5.4. which do give authority to Juſtices, in certain caſes to amend records. *AB. Records 1.*

Knights.

4 The writs, ſuits, and proceſs, now depending of certaine which were of late made Knights, ſhal not abate for that cauſe. *EP.*

**Transport
Coine.**

5 A confirmation of the ſtatute of 17.R.2.7. giving licence to al ſo kings ſubiects to transport coine. But the kings counsell may reſtraine it when they will. *AL. 1. & 2. P. & M. 5.*

Statutes made at Weſtmiſter Quindena S. Mi-

chaſin, Anno 6. H. 6. & Anno Domini

1427.

Indictments.

¶ 1 Upon an Indictment of any perſon in the Kings Bench, a Capias ſhalbe awarded againſt him, returnable at the leaſt vi. weekes after, beſore any Exigent ſhalbe awarded, or Outlawie pronounced, or elſe the ſame ſhalbe void. *EXP. At Q. viz.* To endure ſo long as it ſhall pleaſe the King.

**Copies of
Panels.**

2 How long time the copies of Panels in Aſſiſes ſhall be delivered to the parties beſore the ſeſſions of the Juſtices. *AB. Aſſiſe 8.*

**Servants.
Labourers.**

3 The Juſtices of Peace in everie county, and the ſherif and Bailifes in every City, borough, and town, ſhall have authority to make proclamation in their ſeſſions once by the yeare, and ſo in everie borough and market towne within their iuriſdiction, How much everie ſervant of husbandrie ſhal take for his ſervice by the yeare, and how much everie artiſer and workman ſhall take by the day, and by the week, with meat and drinke, or without. And hee that taketh more ſhall forfeit the value of his wages, or be xl. dayes impriſoned. *EP. 5. Eliz. 4.*

Parliament.

4 The ſherife may have a Tranſcrip to an Enqueſt found beſore Juſt. of Aſſiſe, touching returning knights for the parliament. *AB. Parliament 4.*

Devers.

5 Severall commiſſions of Devers ſhall be graunted to ſeveral perſons, during 1. yeris next. The form of the commiſſion. *EXP.*

Calice.

6 All merchants may ſhip merchandize in ſpelcomb Haven, & carrie them to Calice. *CB.*

Statutes made at Westminster 22. die Septembris,

Anno 8. H. 6. & Anno Domini

1429.

11. H. 6. 11. 5. H. 4. 6. ¶ 1 The Clergie called to the Conuocation shal haue such liberties as they Conuocation.
which come to the Parliament. AB. Conuocation 1.
- 2 So Merchants of England shal enter into the dominions of the King Denmarke.
of Denmarke, but to Northbarnum his Staple towne, upon paine of forfeiture
of there goods, and imprisonment. EP. 1. H. 8. 1.
- 3 Commissioners of Shewers ordained by the Statute of 6. H. 6. 5. shal Shewers.
haue authoritie to execute their owne ordinances. EP.
8. Ed. 4. 2. ¶ 4 The penaltie for buying or wearing of a lincerie to haue maintenance in Lincerie.
any quarrell. AB. Liveries 2.
9. H. 6. 6. n. H. 7. 4. 17. Ed. 3. 10. ¶ 5 Euerie cite, borough, and market towne, shal haue a common ballance Weights.
and weights, according to the Standers of the Exchequer, & they shal weigh
all things by equal ballance. AB. Weights 11. 12. 14. So man shal buy wollen Parne.
parne, if he will not make cloth thereof. AB. Yarne 4.
- ¶ 6 If any unknownen persons by casting of billes do threaten any other to Cheatning
burne their houses, if they doe not bying them a summe of money to a place as by bills cast.
signed, and after do burne any such house, the same shal be high treason. EP. 1.
M. 1. 1. Ed. 6. 12.
1. H. 5. 1. 23. H. 6. 15. 10. H. 6. 2. ¶ 7 That sort of men shal be chusers of the knights for the Parliament, Parliament.
and who shalbe chosen. And the Shireife may examine euerie chuser upon his
othe, how much in scerhold he may expend. AB. Parliament 4.
- ¶ 8 A confirmation of the statute of 6. H. 6. 3. touching the wages of seruants Seruant.
in husbandrie, labourers, and artificers. EP. 5. Eliz. 4.
5. R. 2. 7. 15. R. 2. 1. 31. Eliz. 11. ¶ 9 The office and duetie of Iustices of Peace, where any forcible entrie is Forcib. entrie.
made into lands, or peaceable entrie, and after detaining with force. AB. Force
2. 3. 4. Iustices of pace 89.
10. H. 6. 6. ¶ 10 Upon Indictments or Appeals of persons dwelling in forrein counties, Indictments
what p. oces shal be awarded against them. AB. Indictments 3.
11. H. 7. 11. ¶ 11 The Citizens of Lodon may take apprentices, according to their an Apprentises
tient custome, notwithstanding the Statute 7. Henrici 4. 17. AB. Labou- in London.
rers 27.
8. R. 2. 4. 27. El. 5. ¶ 12 For error assigned in any Recoꝝd, P. oces, Writ, Pannell, Returne, Records.
et. no iudgement or recoꝝd shal be reversed. The Iustices may amend such
recoꝝds. Resorning and amending of variance betwene a Recoꝝd and Certi-
ficate. The penaltie for embeseling of Recoꝝds. Recoꝝds exemplified. AB. Re-
cords 2. 3. 4. 5.
- ¶ 13 In all the protections cum clausula Volumus, for those which shal goe Protections.
with the king into fraunce, there shal be an exception of these woꝝds Assise
nouz discein. EP.
- ¶ 14 The statute of 2. H. 5. 9. which prouideth a remedie against him that Fugitiue.
doth commit any murder, robbrie, or batterie, and after doth flee into woods, Robbers.
made perptuall. But it must be witnessed by two Iustices of peace of the
countie where such riots et. that the common same of the countie runneth
of the same riots, before the writ of Capias shalbe awarded. And if it happen
in the countie of Lancaster, or in a franchise where there is a Chaunceloz and
a Seale, then the said Chaunceloz shal haue authoritie to award a Capias, by
on complaint to him made by a Iustice, Shireife, et. CB.

King Henry the sixt.

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| Records. | 15 The kings Iustices may in certaine cases amend defaults in Records and Processes. AB. Records 1. | 14.Ed.3.6.
9.H.5.4.
4.H.6.3. |
| Escheator. | 16 An Escheator & Commissioners shall take an enquest of inquiry of such persons onely as be returned by the Sheriffe. And shall certifie an office with in a moneth after the taking thereof into the Chancery or Exchequer. AB. Escheator 10.11. When a patent may be made of lands seised upon an enquest taken before an Escheator. AB. Patent 26. | 18.H.6.7.
36.Ed.3.13.
18.H.6.6.
1.H.8.10. |
| Calice. | 17 Whatsoever shall ship or cause to be shipped any wool, fells, leather, lead, or tinne, or carrie the same south of England, Wales, or Ireland, to any other place but to the Staple of Calice, shall forfeit the double thereof, and be two yeares imprisoned: saving the merchants of Aene, Venice, Custaine, Lombardie, Florence, Cataloigne, &c. And also saving the Burgeses of Berwicke. xxx. | |
| Staple. | 18 Certaine ordinances made for the prices of the merchandises, and for the suppoytation of the Staple, and Mint at Calice. BP. | |
| Calice. | 19 If any Hariner shall receive into his ship any merchandises, or carrie them to any other place saving to the Staple of Calice (except such which passe the straits of Gharocke) he shall forfeit his ship and goods therein. xxx. | |
| Calice. | 20 No merchant dwelling continually in Calice, shall buy beyond the sea any merchandises belonging to the Staple, upon paine of forfeiture thereof. xxx. | |
| Repeale of licences. | 21 A Repeale of all licences granted to men of Berwicke and Berwicke, to transport merchandises of the Staple to other places then to Calice. If any will carrie merchandises of the Staple into Scotland, he shall forfeit the double value thereof, and be a yeare imprisoned. | |
| Wool. | 22 What is requisite in winning and packing of wool. Be stranger shall forze, clacke, or beard any wool. AB. Wool 8. | 23.H.8.17. |
| Thymmes. | 23 The penaltie for carrying of thymmes or wollen yarne out of the Realme. AB. Yarne 3. | 23.H.6.3. |
| Merchants Aiens. | 24 No man shall be compelled, or make promise to pay to marchants aliens for their merchandises in gold, but in silver. No Englishman shall sell within this Realme his merchandises to an alien, but for present payment in money, or merchandise upon paine of forfeiture thereof. CB. | 9.H.6.2. |
| Mayor of the Staple. | 25 The Mayor of the Staple that now is, shall continue in his office untill A. and two yerres after. xxx. | |
| Cognissance. | 26 The penaltie if in A.ife, or any personall action, the defendant make default, to put the A.ords, Mayors, Bailiffs, &c. from their iurisdiction. AB. A.ife 9. | |
| Leithbouris. | 27 A remedie for the inhabitants of Leithbourie in the countie of Gloucester, to recover (according to the statute of Winchester) against the people of the forest of Dean, and hundred of Blodiflow, and Wadbury, recompence for such robberies, oppressions, and wrongs, which have bene or shalbe done unto them, upon the river of Severne. CB. at Q. | |
| Burford bridge. | 28 There shall be a bridge made over the water of Burford, and another over the water of Culhamford, in the high way leading from Abingdon to Dorchester in the countie of Oxford. And there shall be four porches and eight inches in breadth betwixen the ditches of the same way. And all people may amend the same bridges, way, and ditches, plant trees there, and lopps them to repaire the same. BR. | |
| Enquest de Made in lingua. | 29 A confirmation of the Statute of 28.Ed.3.13. containing, that an enquest shall be de Medietate lingue, where an alien is partie. And the Statute. | 27.Ed.3.2. |

Intest: H. 1. 3. hath only exten to Empress taken betwene denizen and denizen. AB. January 1. 12. ed of Intest and to Intest. 12. ed of Intest and to Intest.

Statutes made at Westminster ii. die Januarij, Anno

9. H. 6. Anno Domini 1430.

¶ 1 All Assises and Nisi prius shall be adjourned during the time of this Parliament untill certayne daies to be appointed by Proclamations, which Proclamations shalbe made in euery countie at the least 10. daies before, and shall haue the effect and force of Statutes in that behalf.

2 English Merchants may sell their wares and to Aliens, giuing them onely six moneths of payment: Notwithstanding the Statute of 8. H. 6.

3 A confirmation of all Indulgences, Acquissions, Processess, Records, Owen Glendore Judgments, and Statutes made against Owen Glendore, notwithstanding any suspension, exco., &c. But this shall not be prejudicial to the heires of the blood of the said Owen, as to any claim in talia in any way.

4 An Idempneate no more maintainable by the recusers of any Testator, wrongfully molested by colour of any Statute. Sheriffs. Idemp. nom.

5 All men shall haue free passage in the river of Bourne, with stotes, wares, goods, and chattels, without the disturbance of any man, and he that is molested shall haue his action at the common law. AL. 23. H. 8. 1. touching the p.

6 By the Statute of 8. H. 6. The Burgesses of Wycombe shall not be disturbed to use their weighing by weight, wares about the same Borough &c. AB. Wycombe. Wycombe.

7 So Sheriffe of under the rife of the Countie of Hereford shall take money by extortion, or do any wrong in his Towne, or other place, by colour of his office, upon paine of forfeiture of L. 100.

8 The weight of a weight of these shall containe 112. lb. and euery clous big. L. AB. Weights 6.

9 A Commission shall be granted to certayne persons to shoure and amend the time of Ley in the countie of Essex, by the same and holden.

10 A rebetall and confirmation of the Statute of 11. H. 3. touching the things shalbe and to be made according to the Statute.

11 Proclamations shalbe made and denunce in the Churches, before a writ shall be awarded to the Bishop to rectifie the same.

Statutes made at Westminster 12. die Maij, Anno

10. H. 6. Anno Domini 1430.

¶ 1 Recognissances of debts taken before the Bishop and Constatle of the Staple of Calice beyond the sea, shall be as effectual and executed as within this realme, as Recognissances taken before the Bishop and Constatle of the Staples at Westminster be.

2 The which shall be a chiefe of the knights of the Parliament, must be resident within the same countie, and haue frehold thows to the realty value of 10. lb. AB. Parliament.

3 If any of the King of Denmarke shal take any of the Kings subjects any merchandise, or goods, or wares, the halfe of the kings

King Henry the sixth.

prime Seale shall have authoritie to make the partie graued letters of request vnder the prime Seale, without other pursuit to be made to any for restitution. And if restitution shall not be made by such letters, the King and his Council will provide convenient remedie according as the case requirerth.

Faile entry. 4 The penaltie of him which maketh a false enttie, that the plaintiffe doth offer himselfe in person, where he doth not AB. Appearance 1. 18.H.6.9.

Calice. 5 A reuener of the Statute made 21. R. 2. 18. touching the repaire of Calice. BR.

Indictment. 6 That peacees shall be awarded vpon an Indictment removed into the Kings Bench. AB. Indictment 4. 8.H.6.10.

Wools. 7 All wools and wolvels which shall be carried to any other place, then to Calice, shall be forfeit to the King and the Finder. BR. 14.H.6.5.

Statutes made at Westminster 8. die Iulij, Anno

H.6. 1433.

Direwes. 1 They that dwell in the Sothmes in Southwike in the countie of Surrey shall not be impannelled in Iuries: nor be common hostries: nor tavernes in any other place of Southwike but at the Sothmes.

Sheriffe dis. 2 The penaltie where a Sheriffe is named a disseisor in Aulse, to the intent he shall not serve the writ. AB. Aulse 9.

Perjors of the ppo fira. 3 An Aulse, or other action shall be maintainable against the Perjors of the profits. AL. 27.H.8.10. 1.R.1.9. 4.H.4.7. 1.H.7.1.

Attaint. 4 The Plaintiffs in Attaint shall recover their costs and dammages against the Tenants, Iurers, and Defendants. AB. Attaint 5. 23.H.8.3.

Writ. 5 The writte for him in the Reuerfion, where tenant for terme of life or yeares granteth ouer his estate, continueth the taking of the profits, and couer mitteth the writ. AB. Writ 4. 1.Ed.6.7.

Discontinuance. 6 No suit before any Justice, or Commishoners shall be discontinued by a new Commission. AB. Discontinuance &c.

Hereford. 7 Continuanse for thier peaces of the Statute of 9. H. 6. 2. touching extortion done by the Sheriffs of Hereford.

Wrights and measures. 8 A confirmation of the Statute of 11.H.1. 2. & 8.H.6. 3. and of all other Statutes made touching wrights and measures. And all Sheriffs, Bailiffs,

Streits. and Iustices of peace shall put them in execution. AL. 13.H.7.4.

9 Clothes called Streits shall containe in length fifty yards, and in breadth one yard broyde, or els fy. yards broyde. AL. 27. Ed. 6. 18.

Execution. 10 He that sueth to defeat an execution vpon a Statute being removed by Corpus cum causa, shall find suerties to satisfie both the king and the partie. AB. Corpus &c. 2.

Parliament. 11 The punishment of such as make assault, or fray, vpon any that doe come to the Parliament. AB. Fighting &c. 3.

ware. 12 That ware-chaundlers shall take for their woks of ware, more then ware is worth. AB. Ware &c. 8. Iust. of peace 4.

Bullion. 13 Wolle, furs, and furre brought to Calice, shall be sold for ready money. A certayne quantitie of Bullion shall be brought into the Count, for every sack of wooll sold. BR.

Shipping in creekes. 14 It shall be felony to ship, or carrie, or cause to be shipped, or carried, any merchandise of the Staple in Creekes. BR.

Customer. 15 The forfeiture of the customer, or controller, which will not make warrant to discharge the merchant that hath paid his custome. AB. Customers 17.

Customer. 16 If a Customer take any blanke shrope with the seale of his office: or if any

if any Merchant enter or buye any wares to be written in such blankes shrotes, his goods, as Merchandises, to defraude the King of his customs or subsidies, The offender shall forfeit all his goods & be three yerres imprisoned. *AB.*

Statutes made at Westminster 10. die Octobris, An.

14. H. 6. & Anno Domini 1435.

1. The Justices of Nisi prius shall have authoritie to give iudgement, as well where one is attainted of Treason, as felonie, as where hee is acquite. *AB.* Just. of Nisi prius 7.

Just. of Nisi prius.

15. H. 6. 3.
18. H. 6. 15.
4. Ed. 4. 2.

2. All Wines and Fels that shalbe shipped over the sea, shalbe caried to Calice, and there sold. And no licence shal be graunted to the contrary. Saving to the R. authoritie to modifye this Statute by the advise of his Councell. And saving to the Merchants of Flems, Venice, Lufaine, Lombardie, Florence, and Cataloigne, and the Burghes of Berwich, the liberties graunted them by another statute. *AB.*

Calice.

3. The Sessions of the Just. of Assise and Gaole delivrie in the countie of Cambridgeshalbe holden at Carliel. *AB.* Just. of Assise 6.

Carliel.

4. The Justices of Peace of the Countie of Middlesex are bound to have their ordinary Sessions but twice in the yere. *AB.* Justice of Peace 3.

Carliel.
Middlesex
Sessions.

10. H. 6. 6.
11. H. 6. 14.

5. All merchandises shipped in Cokes shal be forfeited to the King. And hee that will ship any merchandises carie to Calice, and doth transport them elsewhere, hee shal forfeit them. *AB.*

Calice.

6. R. 1. 10.
1. H. 4. 17.

6. The forfeiture of him which disturbeth any alien bringing in vitayles, to sell in grosse, as by retails. *AB.* Vitayles 2.

Vitayles.

7. Merchandises taken upon the sea by any of the R. liege people, from any foreigners being in amity with the king, but not under his Safe-conduct, being in enemies ships, shal not be restored. *AB.*

Safe-conduct

30. H. 6. 11.

8. The Statute of 1. H. 5. 6. touching breakers of Trece and Safe-conducts, shalbe suspended vij. yerres. *AB.*

Trece.

Statutes made at Westminster 21. die Januarij, Anno

15. H. 6. & Anno Domini 1436.

1. In a suit commenced before the Archibishop of the R. house, the defendat shal not be estopped to plead, that the plaintife is hee are not of the kings house. *AB.* Marshall 2.

Marshall

21. H. 6. 6.
1. & 1. P. & M. 5.
13. E. 2. 13.
18. H. 6. 18.

2. None may be transported without licence to any Countrey (saving the R. enemies) when the heat doth not exceed vij. d. and Barley ij. s. vij. d. the Quarter. *AB.* 1. Jacob. 25.

Com transport
popped.

3. The clause Vidimus shal not be put in a Safe-conduct but upn some speciall cause: And what things be requisite to make a Safe-conduct effectual. *AB.* Safe-conduct 1.

Safe-conducts

4. No person shal sue forth a Subpoena, untill hee find surety to satisfie the defendant his damages and costs, if hee do not desist his Will. *AB.*

Subpoena.

5. No Justice, Justice of Franchise, or Coroner, shal retorne upon an Accaint of plea of land, to the yerely value of xl. s. or of rents touching land to that yerely value, or of things personall to the value of xl. s. any Jurors, except he be inhabitant in the same Countie, and hath therelike hold lands to the yerely value of xl. out of Ancient demesne, the v. Ports, & Causetind, if so many shal beliving in the same Countie. *AB.* 23. H. 8. 3.

Jurors in
Accaint.

18. H. 6. 11.

6. A restraint of unlawfull orders made by: Passers, Wardens, or Comynors

Orders.

King Henrie the sixth

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| Attorneyes. | 7 All Abbots, Priors, and other Religious persons, with all secular persons may under their Seales make their generall Attorneys in every business and wapentake within the realme, to plead for them, and to win and lose in euery manner of plea. To continue so long as it shall please the King. <i>Ed. 4. 10. 13. Ed. 3. 1. 27. Ed. 1. 7. R. 2. 14.</i> |
| Calice. | 8 No person shall ship any Merchandizes of the Staple, but at the keyes & wharves assigned, where the kings weights & wools be. And euery ship after of a ship shall find sureties to the Customes, to carie them to Calice, waiting to the Merchants of Heane, Venice, Berwicke &c. their liberties. <i>Ed. 4. 2. 14. H. 6. 2. 18. H. 6. 15.</i> |
| Statutes made at Westminster 12. die Nouembris, Anno 18. Hen. 6. & Anno Domini 1422. | |
| Patents. | 1 Letters Patents shall beare the date of the deliuey of the warrant into the Chancery. <i>AB. Patents 1. 23. H. 8. 3.</i> |
| Chancelkind. | 2 They which haue Chancelkind Lands to the yearly value of 5. l. may be returned in Affaunts: notwithstanding the Statute of 5. H. 6. 2. <i>3 H. 6. 4.</i> |
| Butter and Cheese. | 3 The Kings liege people may carie Butter and Cheese out of the Realme without Licence, to any place bearing of the R. amitie. But the King may restrain it when he please. <i>AL. 1. & 2. P. B. M. 5. 1. and another 3. yameto 2. 2. 1.</i> |
| Merchants Aliens. | 4 No Merchant Alien shall sell any Merchandise in England, or in another Merchant Alien, upon paine of forfeiture thereof. The Mayor, Bailiffe, or chiefe officer of the Citie, Borough, or towne where any Merchant Alien shall reside, shall assigne to euery such merchant an Host or dweller, who shall suruey all his buyings and sellings, and register them in a Booke, and certifie them into the Exchequer, and shall haue 1. pence in the pound for all Merchandise by him bought or sold. The said Alien shall sell all his merchandise for other merchandise, or for money, and therewith buy English merchandise within six. moneths after his arrivall, upon paine of forfeiture thereof. The Merchants of Ainalaine shal not be compysed in this Act. <i>Ed. 4. 10. 13. Ed. 3. 1. 27. Ed. 1. 7. R. 2. 14.</i> |
| Collectors of Customs. | 5 No man dwelling in any City or Borough, appointed to be Collected for the Customs there, shall be Collected in the same Countie out of the said City, except he hath lands to the yearly value of 10. l. in the same Countie out of the said City, or etc. <i>Ed. 4. 10. 13. Ed. 3. 1. 27. Ed. 1. 7. R. 2. 14.</i> |
| Patents. | 6 No Lands shalbe granted by letters Patents, before the 1. title thereof be found by Inquisition, nor within a moneth after the returne thereof. <i>AB. Patents 2. 6.</i> |
| Office. | 7 An Escheator shall returne an office found before him into the Chancery, within a moneth. <i>AB. Escheators 1. 1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100.</i> |
| Safeconduct. | 8 What things be requisite thereunto to make the Kings Safeconducts effectuall. <i>AB. Safeconduct 1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100.</i> |
| Attorney. | 9 The warrant of Attorney shall be returned of record the same Moth, that the Egent is awarded. <i>AB. Attorney 1. 2.</i> |
| Debtors. | 10 By 1. yeres next ensuing, several Commissions of Debtors shalbe made to diuers persons, in all the parts of the Realme, whom ever shalbe. <i>Ed. 4. 10. 13. Ed. 3. 1. 27. Ed. 1. 7. R. 2. 14.</i> |
| Justice of Peace. | 11 No man shall be Iustice of Peace (but in certain cases) unless he hath lands or tenements to the yearly value of 10. l. <i>AB. Iustices of Peace 1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100.</i> |
| Indiments. | 12 Appeals, or Indiments of Felonie or Treason, supposed to be committed in a place, where there is none such, shalbe void. <i>AB. Conspiracie 1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100.</i> |
| Outlaw in Lancashire. | 13 No man outlawed in the countie of Lancashire, shall forfeit any other lands or goods, but such as he hath in the same shire. <i>Ed. 4. 10. 13. Ed. 3. 1. 27. Ed. 1. 7. R. 2. 14.</i> |
| Decies tantum | 14 If any person or other which hath authority to make accises and pannels, |

- nels, shall take any reward to make such array or ec. The party grieved shall have his suit against him, & recover .x. times so much as he hath received. BP.
- 14.H.6.2.
15.H.6.8.
4.Ed.4.2. 15 It shall be felony to carry, or cause to be carried any Wools or fells to any other place then to the Staple of Calice: Saving such as shall passe the streets of Paroche. CB. Calice.
- 16 There shall be one measure of Cloth through the realme, by the yard and the full ynch, and by the yard, & the full hand, according to the measure of London. EXP. Measure of Cloth.
- 27.Ed.3.8.
1.R.3.13. 17 Vessels of Wine, oyle, and honey shall be gauged: And the contents of every of the said vessels. AB. Wines. 13. Gauging.
- 18 A Captaine which doth detain any part of his souldiers wages, saving for his clothing (viz. x.s. a gentleman, and vi.s. viij.d. for a yeoman for halfe a yeare) shall forfeit to the King xx.l. for everie souldier, and x.li. for a Bowe from whom he doth abate. AL. 2. Ed.6.2. Souldiers wages.
- 3.Ed.6.2. 19 The punishment of a Souldier retained to serve the King in wars, which goeth not with, or departeth from his Captaine, without Licence. AB. Captaines &c. 3. Souldier.

Statutes made at Westminster 25. die Januarij, An. 20.

H. 6. & Anno Dom. 1442.

- 18.H.6.8.
15.H.6.3. ¶ 1 All letters of Safe-conduit, which be not inrolled in the Chancery, before the delivrie of them, shall be void. And they which will take any advantage of them, must have them ready in their Ships to shew. AB. Safe-conduits 1. 2. Safe-conduit.
- 9.H.5.2.
18.H.6.13.
31.H.6.9. 2 No person against whom an Exigent is awarded, or Outlawie pronounced in the County of Lancaster, shall forfeit any Lands or goods, but which he hath within the same Countie: Nor shall be disabled of any action, or barred to claim inheritance out of the same Countie. BP. 33. H.6.2. Outlawie in Lancashire.
- 2.H.4.16.
27.H.6.4. 3 It shall be high Treason for Welshmen to take and carie away Englishmen, or their goods or cattels, into Wales, or there to withhold them. EXP. Welshmen.
- 4 Those Denizens which shall have the R. Licence to carrie Wools, fells, or tyne, to any other place then to the Staple, shall pay such customes and duties to the R. as Merchants aliens doe. EXP. Licences.
- 11.H.4.3. 5 No Customer, Comptroller, &c. shall have a Ship of his owne, vse merchandise, kepe a wharfe, or an Inne, or be a factor. AB. Customes &c. 23. Customer.
- 6 The statute of 15. H.6.2. touching transporting of cozne, shall be renewed and continued untill the next Parliament, or for .x. yerres. EXP. Cozne.
- 7 If any bring merchandizes from beyond the seas into any port of Wales, and after convey them into England, being not customed: Or send any merchandise of the Staple out of any port in Wales beyond the Sea, without paying custome, he shall forfeit them. EXP. Customs.
- 2.H.4.14. 8 The R. Purveyors who will take cattell to the value of xl. s. or under, and not make present payment, may be resisted. AB. Purveyors 22. Purveyors.
- 9 The order of triall of Duchesses, Countesses, or Baronesses, being indicted of Treason, or Felonie. AB. Trial 8. Trial.
- 7.Ed.4.1.
23.H.6.4. 10 The length and breadth of all sorts of Wools made in Norwich and Portfolke. And a provision for the true making of them. EXP. Wools.
- 14.H.6.8. 11 A repeale of so much of the statute of 1.H.5.6. as maketh the breaking of Truce and Safe-conduits high Treason. Truce.
- 12 There shall be a reformation of partition of wools, and woolsfells, by the Papes and Constables of the Staple of Calice. EXP. Partition of wools.

King Henrie the sixt.

Statutes made at Westminster 25. die Februarij, An.

23. H.6. & Anno Domini 1444.

- Purveyors.** ¶ 1 A confirmation of the Statute of Purveyors made 36.Ed.3.2. AB. Purveyors 16.17.
- Purveyors.** 2 The Purveyors oath to take nothing contrary to the statute of 36.E.3.2. and Purveyors attempting to take contrary to the said statute,shalbe resised. AB.Purveyors 20.21.
- Thunmes.** 3 Whosoever shall packe or ship Thunmes, or wollen threds, to passe beyond the sea,shal forfeit them, or the value of them, be one yeare imprisoned, and make fine, and ransome. EP. 2.H.6.13.
- Wardens.** 4 Four Wardens to be chosen yereley within the City of Norwich, & other four within the Countie of Norfolk, shall set downe orders for the true making of Woollens within Norwich, Norfolk, and Suffolke. EP. 20.H.6.10.1 7.Ed.4.1.
- Outlawes in Wales.** 5 Those people of Wales which be indicted or outlawed of Treason, or felony, and do repaire into Herefordshire,shalbe apprehended and imprisoned, or pursued by buy and cry. A Knight shall forfeit C.s. an Esquire xl.s. and enerie other person yr.s. which doth not pursue the buy and cry. And the Statute of 3.E.1.9.shalbe put in execution. CB.
- Cope.** 6 The Statute of 15.H.6.2. touching transpoyting of Coynes made perpetual. AL. 1.Jacob.25.
- Head pence.** 7 The gathering of head Pence by the Shire of Northumberland, shall cease for ever, upon paine of C.s. CB.
- Sherife.** 8 So man shall be Sherife, Undersherife, or Sherifes Clerke above one yeare (except the Undersherife within the city of London &c.) AB.Sherifes 4. 41.Ed.3.9. 14.Ed.3.7.
- Sherifs.** 9 The Chancelor of England may grant Commissions of Sherifs during xv.yeres, as it was ordained. 6.H.6.5. EP.
- Sherifs.** 10 So Sherife shall let to ferme his County, or any Bayliwike. The Sherife and Baylifes fees for arrests, and making copie of a panell. The Sherifes due tie in bayling of persons arrested, in taking Obligations for apparance, & making of deputies in severall courts. AB.Sherifes 5.6.7.8.9.10.11. 4.H.4.5.
- Parliament.** 11 The order of leuyng the wages of the Knights of the Shire for the Parliament. AB.Parliament 12. 35.H.8.11.
- Forreyn plea.** 12 If any Tenant or Defendant in an action reall or personall, after issue ioyned & entres of recozd, and a Venire facias returned, wil assent at another day plead a forreyn plea, triable in another Court then where the writ is brought, or the suit commenced, and the demandant or plaintife in such forreyn plea wil plead to an issue: Such issue in the forreyn plea shall be tried where the writ is brought, and by the same Jury so returned. EP.
- Servants, Labourers.** 13 A servant in husbandrie purposing to depart from his Master,shal give him warning halfe the yere before: or els he shall serue him the yere following. The severall wages of servants in husbandry, and of Labourers with meat and drinke, or without. EP. 5.Eliz.4. 11.H.7.22.
- Purveyor.** 14 The penaltie if a subjects Chato do take any thing against the owners consent. AB.Purveyor 1. 7.R.2.8. 36.Ed.3.69
- Parliament.** 15 The manner of the election of the Knights and Burgeses for the Parliament. A remedie where he that is chosen, is left forth, and another returned, who shalbe a knight for the Parliament. AB.Parliament. 4.5.6.7.8.9. 11.H.4.1. 1.H.5.1. 8.H.6.8.
- Gauger.** 16 The gauge peny shall not be paid to the Gauger, until he or his deputy hath gauged the Wines: And then he shall take the pennie, and no more. A Gauger, being requested, shall be ready to do his office, upon the paine limited by the Statute of 27.E.3.8. AB.Wines 14.

1.H.8.8.

17 Within what time, and where an Escheatoꝝ shall take his Enquestes of Escheatoꝝ. office. An Escheatoꝝ see foꝝ the finding of an office. AB. Escheatoꝝ 9.

18 No new Impositions oꝝ Charges shall be layed vpon them which buy wines. wines in Gascoigne, and Guien, by any of the Kings officers in those parts, vpon paine of forfeiture of xx. l. and treble damages. CB.

¶ 1 A Statute made at S. Edmunds Bury 10. die Februarij, Anno Northwales. 25. Hen. 6. & Anno Domini 1447. All graunts of Fraunchises, Parkets, Fayres, and other Liberties to buy and sell within the Townes of Northwales made to any Welshman shalbe voyd. All the Kings Tilleines in Northwales shall be bound to doe such labours and seruices, as they haue vsed to doe in olde time, notwithstanding any graunt to them made to the contrarie.

Statutes made at Westminster 12. die Februarij,

Anno 27. Hen. 6. & Anno Domini

1448.

28 H. 6. 1.

4. Ed. 4. 5.

¶ 1 If woollen Clothes made in this Realme shall be forbidden to be sold within the dominions of the Duke of Burgonie in Brabant, Holland, & Zealand, Then no Merchandize oꝝ goods of the growing oꝝ workmanship of the lands of the said Duke shall come into England. EXP.

Duke of Burgonie,

2 Because in the raigne of King Edw. 3. Subsidies and Customes of the Staple of Calice were lviij. p. p. yerely, and now be not aboue xij. thousand pounds in respect of seuerall licences graunted, Therefore no licence granted, oꝝ to be granted by the King, shall be available foꝝ cariage of Wols, Felles, oꝝ Tinne to any place out of the Realme, but to Calice. And whosoever doth obtaine, accept, and put in execution any such licence, shalbe out of the Kings protection. EXP.

Customs of Calice.

4. H. 4. 15.

17. Ed. 4. 1.

3. H. 7. 8.

3 Merchants Aliens, that bring merchandize into the Realme, shal bestow all their money vpon other merchandize, and carie forth no gold oꝝ silver vpon paine of forfeiture thereof. And if any do, every person that will, shall haue an Action of debt against the Customers, Comptrollers, oꝝ Searchers, in whose default such money was carried forth, and recouer the value of the Merchandize brought in. EXP.

No gold &c. transported.

4 A continuance butill the next Parliament of the Statute of 20. H. 6. 3. Touching a punishment foꝝ Welshmen that doe carry away Englishmen &c.

Welshmen.

EXP.

5 Certain feasts oꝝ daies wherein faires oꝝ markets ought not to be kept. AB. Faïres &c. 2.

Faïres.

6 A Pardon by the King to all priests aswel religious as secular.

Pardon.

Statutes made at Westminster 6. die Nouembris, An. 28.

H. 6. & Anno Dom. 1449.

¶ 1 The Statute of 27. H. 6. 1. Prohibiting the sale of woollen clothes in Brabant, Holland, and Zeland, renewed foꝝ 7. yeres. EXP.

Clothes.

2 The penaltie foꝝ taking of a horse oꝝ cart without the deliery of the ower, and of some officer: oꝝ foꝝ taking money to spare any mans horse oꝝ Cart.

Purueioꝝ &c.

AB. Purueyours 13.

3 The Pardon to those that were Schirifes, Underschirifes, oꝝ Clerkes, the last yere before, foꝝ occupying that place aboue one yere, contrarie to the Statute of 23. H. 6. 8. EXP.

Pardon.

King Henrie the sixt.

- Distresse.** 4 It shalbe felony for any Welsh or Lancashire men, to take other mens goods or castles vnder colour of distresse, where they haue no se, seigniorie, or cause of distresse, but fained quarrels. *EXP.*
- Extortion.** 5 If any of the Searchers, Controllers of search, Water-baylives, Collectors, or Surueyors of custome, or their deputies, or servants, &c. within the Ports of this Realme, by colour of their offices, shal wrongfully by constraint, make any distresses and arrests vpon the ships, barges, balengers, goods, or merchandize, of any of the Kings liege Marchants: The party grieved shal haue against the offender, a generall action of Trespas, and recover xl. l. q. for the vse hereof.

Statutes made at Westminster 6. die Nouembris,

Anno 29. H. 6. & Anno Dom. 1450.

- John Cade.** ¶ 1 John Cade deceased shal be attainted of high Treason: All his lands and goods shal be forfeited to the King, which he had the 8. day of July before his death, and his blood shalbe corrupted: and he shal be called a false Traytor for ever. *R.* 31. H. 6. 1.
- Conservatoys of Truce.** 2 The Lord Chancellor and one of the chiefe Iustices shal haue the like authoritie which the Conservatoys of the Truce and Safe-conducts haue by the Statute of 2. H. 5. 6. What Procees they may award against offenders. *EXP.*
- Exemption at Poike.** 3 Letters Patents graunted, or after to be graunted, to citizens of Poike to be exempt of the offices of Pairaltie, Sherifswike, Chamberlain, Collector of dimes, and quinzimes, and citizen for the Parliament, shalbe void. And the citizen which purchaseth, or taketh such exemption, shal forfeit x. l. to the king, and the Mayor and Citizens of Poike &c. *R.*

Statutes made at Reading 6. die Martij, An. 31.

H. 6. & Anno Dom. 1452.

- John Cade.** ¶ 1 John Cade, calling himselfe Mortimer, and Captain of Kent, attainted of high Treason: And all indictments and acts done by this authoritie, repealed. *R.* 29. H. 6. 1.
- Contempt.** 2 Such as hauing receiued the Kings writs vnder the great Seale, or letters vnder the priue Seale, or warned by Proclamation, to appeare before the Kings Council, or in the Chancerie, do disobey, or refuse, at the first time shal lose all his offices, hies, and other possessions which he hath of the King. At the second Proclamation shal lose for the terme of his life his Title of honor, and place in Parliament, and all his lands. And a man of living vnder the estate of a Lord, shal pay fine according to the discretion of the two chiefe Iustices. And he that hath no land, shal be out of the Kings protection. *EXP.*
- Marches.** 3 Attachments in the East and West Marches toward Scotland, shal be made in Cumberland, Northumberland, Westmerland, or the town of Newcastle vpon Tyne onely. *EXP.* 4. l. c. 1.
- Safe-conduct** 4 By what meanes he shal obtaine remedy, who hauing a Safe-conduct is robbed vpon the sea. *AB.* Safe-conducts 3.
- Officers.** 5 No Customor, Controller, Aulnager, &c. shal haue any estate certaine in his office, but remaine remouable at the Kings pleasure. *AB.* Offices 3. 14. R. 2. 10.
17. R. 3. 5.
- Lancashire.** 6 The Statute of 20. H. 6. 2. touching the forfeiture of those which be outlawed in Lancashire, made perpetuall. *EXP.* 33. H. 6. 2. 1. H. 4. 13.
- Resumption.** 7 Whereas by a statute not printed, made Anno 28. H. 6. The King did take

take, resume, seise, and retaine in his hands and possession, all honours, man-
nours, lands, tenements, rents, &c. which he had graunted by his letters Pa-
tents, or in any other manner, sithence the first day of his Reigne. And that
all graunts of rents charge, or annuities to be taken out of his Customes,
Subsidies, Amlage, Hamper, or Recceit, shall be void. But fees, rewards,
wages, and profits of old time belonging to those offices, shall not be compri-
sed within the said Act of Resumption.

8 A Subsidie before graunted to the King, of Wolls, Felles, and Clothy Subsidie.
transported, in some sort qualified. *RP.*

9 A remedie for a Woman which is enforced against her will to be bound Women.
by Statute or Obligation. *AB. Women 14. 15.*

Statutes made at Westminster 9. die Iulij,

Anno 33. Hen. 6. Anno Domini 1455.

1 A Remedie for Executors, against the Servants of their Testator, Servants.
which imbeyled their Masters goods after his death. *AB. Executors 5.*

2 A repeal of the Statute of 31. H. 6. 6. touching the forfeiture of such as Indictment in
be outlawed in the Countie of Lancaster. By what Jurors an Indictment Lancashire.
shall be found in the Countie of Lancaster, of a foreign dwelling in an other
Countie: Et conuictio. &c. *AB. Jurors 17. 18.*

3 Ordinances what fees the Clerkes and Officers of the Exchequer shall Exchequer.
take of Accountants, and their penalte for extortion. *RP.*

4 Whosoever commonly hawking Ale or Ware in Kent to sell, shall make, Gaunt.
or cause to be made above 100. quarters of Gaunt, shall forfeit 1. *EXP.*

3. Ed. 4. 3.
22. Ed. 4. 3.
1. R. 3. 10.
1. H. 7. 9.

5 So bought Wilke belonging to the Wyche of Wilke women (except Wilke.
Girdles that come from France) shall be brought into this Realme by the way
of Merchandise, upon paine of forfeiture thereof. *EXP.*

6 The Abbot of Fountaine in the Countie of Dorset, in a suit commen- Fountaine.
red against him in a Court Baron, Wapentake, &c. may wage his law by his
Attourney, where wager of law is allowable. And he may doe his law by a
Spoke of the same house, and six others authorized by the common seals of the
same Monasterie. *RP.*

7 There shall be but six common Attourneys in Dorset, six in Suff- Attourneys.
folke, and two in Dorwich, to be Attourneys in Court of Record, which shall
be elected and admitted by the two cheife Justices. Q. whether in force, for it
is not in vse.

Statutes made at Westminster 7. die Octobris,

An. 39. H. 6. Anno Domini 1460.

1 A repeal of a Parliament holden at Conventrie 10. die Nouembris, Repeal.
An. 38. H. 6. And all Actes, Statutes, and ordinances made by authoritie of
the same Parliament shall be reversed, viz. being Statutes not printed.

2 A woman of the age of xiiij. yeres at the death of her auncestour shall have 3 woman's
Linerie of her landes. *AB. Wardes 12.* Linerie.

King Edward the fourth.

Statutes made at Westminster 4. die Nouembris,

Anno 1. Ed. 4. & Anno Dom. 1461.

King. 4.
R. 5.
R. 6.

What Acts done by King Henry the fourth, R. 4. 5. and R. 5. the first, late kings of England in dede, but not of right, or by others in the time of their Raignes, shall continue good, and effectuell, and which not.

Indictments
in Turnes.

Indictments taken in Sherifes Turnes shall be deliuered to the Justices of peace, who shall award proces against the persons indicted, and deliuer the estreats to the Sherife. AB. Sherifes 12. 13. 14. 15.

Statutes made at Westminster 29. die Aprilis,

Anno 3. Ed. 4. & Anno Domini 1463.

Merchonts.

No Alien shall ship or carrie out of the Realme any wolls, fells, moylings or shoylings, neither shall any Denizen carry them but to Calice, except such as be growyn in Northumberland, and Cumberland, Westmerland, and the Bishopricke of Durham, which shall be carried no Newcastell. Euery Merchant shall receiue for his merchandise of the Staple ready payment, whereof the one halfe shall be in Bullion of gold or siluer, which shall be coined at the Mint of Calice. Whosoever windeth any deceitfull thing in wolle, shall forfeit by 3. 10. enerie fells. If any Englysh or Welch man shall bring in, or carrie forth any merchandises in any Aliens ship, if he may haue fraught in a Denizens ship, he shall forfeit his Marchandise. EXP.

4. Ed. 4.
12. Ed. 4. 5.

Peere.

5. R. 2. 3.
14. R. 2. 6.
4. H. 7. 10.

Coine.

A restraint of bringing Coine into this Realme, untill it shall errede certayne pices. AB. Corne 9.

Silke.

Whosoever shall bring any wought Silke into this Realme to be sold, concerning the mysterie of Silk-workers, shall forfeit the same, and ten pounds. EXP.

33. H. 6. 5.
22. Ed. 4. 3.
19. H. 7. 25.

Merchandize.

Certaine merchandises not lawfull to be brought into this Realme ready wought. AL. 5. Eliz. 7.

1. R. 3. 12.

Apparell.

What kinde of Apparell men and women of each vocation, and degree are allowed, and what prohibited to weare. HP. 22. E. 4. 1.

Statutes made at Westminster 21. die Ianuarij,

Anno 4. E. 4. & Anno Dom. 1464.

Cloth.

The length, and breadth of broad Clothes, Streits, and Berries made to be sold. No Lambs wolle, flockes, or cozke shall be put into Clothes to be sold. Sealing of Clothes. The Treasorer of England may let the Aulnage to farme. HP. 5. E. 6. 6. No Clothes wought beyond the Sea shall be brought into England. AB. Draperie 101.

17. Ed. 4. 5.

Calice.

All wolls, fells, moylings, and shoylings to be transported, shall be shipped at those Ports where the King hath a Beame, waights, and a Colledor of customes, and shall be carried to Calice. And the Merchant shall bring a Certificate thereof from the Customer of Calice. HP.

14. H. 6. 2.
15. H. 6. 8.
18. H. 6. 15.

Staple.

The wolls, fells, moylings, and shoylings of Northumberland, Cumberland, Westmerland, Richmondschire, Northalertonshire, and the Bishopricke

12. Ed. 4. 5.
3. Ed. 4. 1.

shoppe of Ducham onely, and of none other Counties, shall be caried to Newcastle, and of all other Shires, to the Staple of Calice, upon payne that euery offendor that transportheth them in other sort, shall forfeit double the value thereof. *RP.*

17. Counties.

4.H.7.11.
12.H.8.1.
37.H.8.15.

17.H.6.1.
18.H.6.1.

4 No person shall buye, or take any promise of bargaine, for any Wollens in the Counties of Berks, Oxford, Gloucester, Shrop, Hereford, Worcester, Wilt. Somerset, Dorset, Hamsh. Essex, Camb. Suff. Suff. Kent, Surrey, and Sussex, or of any of them, before the same be shorne, and untill Bartholmeu day following, but they which shall make Cloth or Yarne of them, upon paine of forfeiture of the double value thereof. *EXP.*

5 No merchandise of the growth or workmanship of any of the Countries subiect to the Duke of Burgonie, shall be brought into this Realme, untill he reuoke a Proclamation made for the banishment of English Clothes and yarne out of his Dominions. *EXP.*

Duke of Burgonie.

6 A qualification of the Statute of 5.H.4.9. viz. Customers and Comp. trollers shall take bonds of Merchants Aliens alone (and not with sureties) to imploy the money comming of their merchandise, upon the commodities of this Realme. And after the bond perfozmed, they shall deliver it. *EXP.*

Sureties of Merchants.

5.Eliz.8.

1.Iac.12.

7 No Shoemaker or Cobbler in London, or within thre Miles compasse thereof, shall make any Shoes, or Botes, with any pike or poleyn passing the length of two ynches: Nor shall sell, nor pull vpon the legges or fote of any person, any shoes, buskins, or botes vpon the Sunday, the Natinitie, or Ascension of our Lord, or Corpus Christi day, vpon paine of forfeiture of xx. s. for euery offence. But this shall not be prejudiciall to the Deane of S. Martines the graund, nor to any person dwelling within Saint Martines. *RP.* 14.H.8.9.

Shoemaker.

8 No Straunger shall buy any English Hornes unbrought, gathered or growing in London, or within viij. Miles thereof. The wardens of the Horners of London may search all wares belonging to their Myserie within London, and viij. Miles thereof, And in Sturbridge and Ely faires. *RP.* 1.Iacob 25.S. 7.Iac. 14.AB. Hornes 1.&c.

Horners.

4.H.5.3.

9.Ed.3.8.
13.R.1.20.

9 Pattenmakers may make Pattens of such timber of Aspe, as is not fit, or sufficient, to be made into shaftes. *RP.* 1.Iacob 25.

Pattens.

10 No Pilgrime, Merchant, or other person, horse, or beast, (except Souldiers, and Merchants with their marchandise) shall take their passage at any other Port or place in Kent, but onely at the Port or Towne of Dover. Neither shall any of them come from Calice to any place in Kent, but to Dover, without the Kings licence in writing, vpon paine to forfeit fine parkes.

Passage at Dover.

Statutes made at Westminster 3. die Iunij,

An.7. Ed.4. & Anno Domini 1467.

20.H.6.10.
23.H.6.4.

4.Ed.4.1.

¶ 1 The election of the Wardens of Woostred weaners within the Citie of Norwich, and the Countie of Norfolk. Their oath, authoritie, sealing, searching, &c. *AB.* Woostreds 1.

Woostred.

2 The Inhabitants of the Hundreds of Liston, Lanestocke, and Kowburgh in the Countie of Devon, may wize, and put flockes in the Cloth made of the woll growing within the said Hundreds, and may sell the same Cloth without damage. *AL.* 5.Ed. 6.6.S. Draperie 57.122.127.

Cloth.

King Edward the fourth.

- Cloth fulled.** 3 No person shall carrie beyond the Sea any wollen Parne, or Cloth not fulled. AB. Draperie 99. 3.H.7.12.
- The kings graunt.** 4 The kings graunt, release, confirmation, and restitution made to any person of lands, whereunto the said person before had any title, shall be of such force, and effect, as they were before the beginning of the Parliament. EXP.
- Services resumed.** 5 Lands holden by fealtie, rent, or other services, of a common person not attainted, comming to the kings hands by attainder of Treason, being after graunted to an other by the king, shall be holden as if the said attainder had not bene. Q. whether generall, and in force, or not.

Stat. made at a Session of Parliament holden at Westm. by
prorogation 12. die May, An. 8. E. 4. & Anno Dom. 1468.

- Clothes.** ¶ 1 The length, breadth, and weight of broad set Clothes, and streit set clothes made within the Counties of Suffolke, Suffolke, And Essex. And they shall be sealed by the Aulnagers seale printed in waire. EXP. 5. Ed. 6. 6. Scalp printed in waire.
- Liveries.** 2 The penaltie for giuing or taking of Liveries, or Badges, or for retaining: And at what time, by whome, and for what causes the same is iustifiable. AB. Liveries 5. 6. 1.H.4.7.
- Jurors.** 3 In actions triable in any Courts at Westminster by Jurors of Middlesex, at the fourth day after the retourne, the Jurors shall be called. AB. Jurors 35.
- Pardon.** 4 A Pardon graunted to all those which occupied aboue one yere the office of Sherife, Undersherife, or Sherifes Clerke the 1. 2. or 3. yeaeres of King Ed. the fourth. And yet the statutes of 14. Ed. 3. 7. 41. Ed. 3. and 23. H. 6. 8. for all other yeres shall continue. EXP.

Statutes made at Westminster 6. die Octobris,
Anno 12. Ed. 4. & Anno Domini 1472.

- Sherife.** ¶ 1 A Sherife being not lawfully discharged, may occupie his office during Michaelmas Terme wherein his Sherifewike endeth, notwithstanding the Statute of 23. H. 6. 8. AB. Sherifes 4. 27. Ed. 4. 6.
- Bowstaues.** 2 Four Bowstaues shall be brought into this Realme for every Tun of merchandise. AB. Bowes 1. 13. Eliz. 14.)
- Subsidie.** 3 Seuerall ordinaunces made for the true paiement of a Subsidie of Tonnage and Bondage graunted to the King during his life by a Statute not printed made anno Ed. 4. EXP. Cloth of gold, silver, bodkyn, velvet, damaske, &c. shall be surveyed, measured, & sealed by the Customer. AB. Customes 12. 4.H.8.6.
- The Princes Liverie.** 4 Edward Prince of Wales, Duke of Cornetwall, and Earle of Chester, the kings eldest sonne may giue his honorable Liverie and Digne at his pleasure, notwithstanding any Statute &c. EXP.
- Woolles transported.** 5 All wolles, fells, moylings, and thoylings, growing within Cumberland, Northumberland, Westmerland, the Bishopricke of Durham, Richmond, & Alderton shire, to be carried out of this Realme, shall be shipped at Newcastlle upon Tyne onely, and from thence shall be carried to Calice or Middleborough. And all wolles, &c. growing in all other parts of England and Wales, shall be carried to the Staple of Calice, upon paine of Felonie. Saving the kings prerogative to graunt licence to the contrarie. EXP. 4.E.4.3. 3.Ed.4.1. 14.E.4.3.
- Sewers.** 6 The Lord Chauncelor shall have authoritie for xv. yeres next, to graunt severall Commissions of Sewers into all the parts of this Realme, according to the forme and effect limited in the Statute of 6. H. 6. 5. 6.H.6.3. 18.H.6.10. 23.H.6.9. 4.H.7.1. 11

7 The

7 The penaltie of the offendor, if a Commission be a awarded according weares. to the Stat. of 1. H. 4. 12. for pulling downe of weares, stankes, hildes, &c. and that the Commissioners a ward be not performed. AB. Weares 5. 6.

23. Ed. 3. 6. 8 All Letters patents graunted by the King to any persons for searching, and surueying of wyne, ale, bere, or other vitaille, shalbe void. And no person other then Patrons, Bayliffes, or like Gouvernors &c. shall exercise any such office. AB. Vitailles 4. Surueying of vitailles.

9 No man shall take upon him to be Escheator, vnlesse he haue xx. li. land or rent in the same Countie. AL. 1. H. 8. 8. No Escheator shall set, or let his office to ferme, or make any Depatie; but for, whom he will answer. AB. Escheators 12. Escheator.

Statutes made at Westminster at the Session of Parliament

begun by prorogation the 23. day of February,

An. 14. Ed. 4. & Anno Dom. 1474.

¶ 1 Certaine Liberties graunted to those, which holding their lands of the King, shall passe ouer the Sea, with the king in his seruice of warre. EXP. Liberties.

2 The same law, and the same protection that was graunted by the Stat. of 9. H. 5. 3. to those which were then in Normandie, or would then passe with King Henry 5. into France, shalbe obserued, and available for all such as shal passe ouer the Sea with the King. EXP. Protection.

3 An alteration of part of the Statute of 12. Ed. 4. 5. Touching the transporting of the wools growing in Cumberland &c. which hereafter shalbe shipped at Newcastle, and from thence conueied to Calice, or to Berwicke in Wabant, or to any other place at the Kings pleasure. EXP. Wools transported.

14. H. 6. 8. 4 A confirmation of all Statutes, not repealed, made against the breakers of Truce, Leagues, Safeconducts, and Licences: Saving the Statute of 28. H. 6. 11. 2. H. 5. 6. League.

Statutes made Westminster 16. die Ianuarij,

An. 17. Ed. 4. & Anno Domini 1477.

1 H. 6. 6. 7. Ed. 6. 6. 9. Ed. 3. 6. 17. R. 2. 1. 2. H. 6. 14. ¶ 1 No Irish Money shall run in payment in England or Wales. It shalbe Felonie to carrie out of England or Wales any Coine of this Realme, or other Realmes, or any Plate, Bullion, or Jewels of gold or siluer, without the Kings licence (except Prisoners raunsones, Souldiers money, &c.) No person shall melt any Money of gold or siluer sufficient to run in payment. All things wrought of siluer to be solde, shall be as fine as the Starling, and shall be marked with the Leopards head, and the two hemans marke. EXP. All Merchants Aliens shall imploy the money receiued for their merchandises vpon the commodities of this Realme. AB. Merchants 9. Money.

4. H. 4. 15. 3. H. 7. 2. 1. R. 3. 6. 2 The penaltie of the Steward &c. in a Court of Disputours, for holding plea there, if the plaintife shall not be deposed, that the contract or other fact was made in the tyme, and Jurisdiction of the same Jpayre. AB. Faires 3. Disputours.

3 Whosoever shal occupie a house or place of clothe, hales, halfe bolwle, handin, handout, or queckboorde, shall be thre yerres imprisoned, and forfeit xx. li. And he that will vse any of the said games, shall be two yerres imprisoned; and forfeit x. li. EXP. 33. H. 8. 9. Unlawfull games.

4 The preparation of earth for the making of Tyles, and the length, breadth, and thicknes of them. AB. Tyles 1. &c. Tyles.

5 An alteration of some part of the Stat. of 4. Ed. 4. 1. Touching the selling of clothes. Clothes.

King Edward the fourth.

ling of Clothes with ware, and concerning the letting to ferme the subsidie and dawlidge of Clothes. *RP. 7. Ed. 6. 6.*

Sherife. 6 The old Sherife may execute his office during the sessions of Michaelmas, and Hillarie Terme, after his yeare ended, if he have not before his writ of discharge. *AB. Sherifes 4. 23. H. 6. 3. 12. Ed. 4. 1.*

Repeale. 7 A repeale of a Parliament holden An. 9. Ed. 4. & An. 49. H. 6, and of all the Acts and Statutes made therein, and of all Ctemplifications of the same.

Statutes made at Westminster 20. die Ianuarij,

Anno 22. Ed. 4. & Anno Dom. 1482.

Apparell. 1 A Repeale of all former Statutes touching Apparell. What kind of Apparell Tempozall men of each degree are allowable, and what prohibited, to weare. *RP. 1. H. 8. 14.*

Fish. 2 The contents of every Butt, Barrell, halfe Barrell, and other vessels of Salmon, Herrings, and Celes. And how fish shalbe packed. *AB. Fish 8. 9. 10. H. 8. 10. 11. H. 7. 13.*

Silke. 3 No laces, ribands, ropes, girdles, calsilke, or Colein silke twined or wrought, shal be brought into England to be solde, vpon paine of the forfeiture thereof, or the value. *33. H. 6. 5. 3. Ed. 4. 3.*

Botws. 4 Whosoever selleth a long Botw of Cwe, aboue iij. s. iiij. d, shal forfeit iiij. s. *RP. 8. Eliz. 10. 3. H. 7. 13.*

Fulling of Caps. 5 No person shall full or thicke any Hats, Bonets, or Cappes double or single, at any Fulling Mill, or set to sale any so fulled or thicked, vpon paine to forfeit xl. s. *7. Ed. 6. 2. 1. Jacob. 19.*

Swannes. 6 No person shall haue a marke, or game of Swannes, vnlesse he hath five Parkes land. *AB. Swannes 1.*

Woods. 7 Woods felled in any forrest, or purticu, may be inclosed, and kept seuerall by yeares. *AB. Woods 25.*

Berwicke. 8 Merchandises carried into, or fetcht out of Scotland, shall be first brought to Berwicke. *AB. Berwicke 1.* The Merchants and free men of Berwicke shall haue to ferme the waters royall & fishing places within the said Towne and seigniozie of the same, paying as much as any other will. *RP. 1. Jacob. 18.*

Statutes

Statutes made at Westminster 23. die Januarij,

Anno 1. Rich. 3. & Anno Dom. 1483.

19. H. 7. 11. **A**ll estates made by Cestuy que vse, and all recoveries and executions Cestuy que vse
 30. **A**gainst him, of lands, rents, seruices, or other hereditaments bte.
 31. **A**gainst him, and his heires, and his seoffies in trust, their
 32. **A**ssignes, saving every estate in taile. AL. 27. H. 8. 10.
 33. **T**he subiects of this realme shall not be charged with a beneuolence or Beneuolence.
 34. **S**uch like charges or impositions. xxx.
 35. **E**very Justice of peace hath authoritie to let a prisoner to mainprize. AL. Felons.
 36. **J**ustices of peace shall haue authoritie to enquire of escapes of felons.
 37. **A**B. 1. of peace 19. **N**o officer shall seise the goods of a prisoner untill he be attain-
 38. **T**ed. AB. Sherifes 24.
 39. **O**f what croit and estate those Jurors must be, which shall be impanel Jurors.
 40. **L**ed in the Sherifes Turne. AB. Jurors 14.
 41. **T**hose lands whereof R. Richard was infeoffed to the vse of others, be- R. Rich. fro-
 42. **F**ore he was king, shall best in such persons, as if he had not bene named in for in trust.
 43. **T**he seoffments. xxx.
 44. **T**he Statute of 17. Ed. 4. 2. made perpetuall, touching a suite commen- Dipowders.
 45. **C**ed in a Court of Dipowders. AB. Faires 3.
 46. **A**fter the ingrossing of a fine leuied before the Just. of the common place, Fines.
 47. **E** proclamations made; who shall be bound thereby. AB. Fines 3. 4. 5. 6. 7. 9. 10.
 48. **O**f what length and breadth; whole clothes, halfe clothes, strews, and Clothes.
 49. **K**erfies shall be made. Of what abilitie an Aulnager must be, and what clothes Aulnager.
 50. **H**e may seale. AB. Draperie 85. 88.
 51. **I**talian Merchants not made Denizens, shall sell their merchandises Merchants.
 52. **I**n grosse, and not by retails, and that in the place where they dwell: and they Aliens.
 53. **S**hall sell the same within 8. Moneths after their arrivall, and shall carrie away
 54. **S**o much as they cannot sell within that time. They shall not sell any Merchan-
 55. **D**ises in the Realme, which they buy in the Realme. They shall make no Cloth,
 56. **N**or put any wolle to make Cloth, vpon paine of forfeiture of all the said mer-
 57. **C**handises, Cloth, &c. to the King, and him that will seise, or sue for the same. by
 58. **A**. of debt, &c. No stranger shall sojourne a stranger not being of the same na-
 59. **T**ion. They shall not occupy any handicraft within this Realme. They shall
 60. **T**ake no Apprentices but the kings subiects. AB. Aliens 1. 9. 10. Aliens may
 61. **B**ring into this Realme, sell, or retails wokes. xx. 5. H. 8. 15.
 62. **T**he Statute of 12. Ed. 4. 3. prohibiting wrought laces, &c. of silke, to Silke.
 63. **B**e brought into this Realme, continued for 1. yer. xxx.
 64. **T**en Bowstaues shall be brought into this Realme, for everie But of Bowstaues.
 65. **P**almesie or Lire. AB. Bowes 2.
 66. **C**ertaine Merchandises which it is not lawfull to bring ready wrought Merchandises
 67. **I**nto this Realme to be sold. AL. 5. El. 7.
 68. **T**he contents of every Tunne, Pipe, But, Tercian, Hogshead, Bar, Uessels.
 69. **R**ell, and Kundle of wine or oyle. And they shall not be sold untill they be gau- Gauging.
 70. **G**ed. AB. Wines 13.
 71. **A**ccomptants for Dismes are not chargeable to answer other mens Accomptants
 72. **S**uits in the Erchequer. AB. Accomptants & c. 49.
 73. **A**ll patents, grants, Ass. of Parliament, estates, &c. of any manors, Elizabeth.
 74. **L**ands, &c. made to Elizabeth late wife of Sir John Gray, and now calling her Gray.
 75. **S**elfe Duene of England, shall be void. R.

King Henry the seventh.

Statutes made at Westminster 7. die Nouembris,

Anno 1. Hen. 7. & Anno Domini 1485.

- Veruoz of profits.** 1 **A** Formedon in descender a; remainder is maintainable against the Veruoz of the profits of those lands, whereof any person a; persons be enfeoffed to his use, who shall haue voucher, aide prater, and other advantages, as if he were tenant in deed. And his heire within age shall haue his age : and all recoveries had against him shall be as good as if he were terre-tenant. AL. 27. H. 8. 10. 1. R. 1. 9. 4. H. 4. 7. 11. H. 6. 3.
- Aliens.** 2 Aliens made denizens shall pay such customes and subsidies as they did before. AB. Customes 13. 11. H. 7. 14. 11. H. 8. 8.
- Calice.** 3 No protection shall be allowed in any Court in Calice, a; the Marches thereof. BP.
- Incontinency.** 4 Priests and Clerks shalbe punished for incontinency, by their Ordinaries. AB. Incontinencie 1.
- Tanner.** 5 No Cordwainer shalbe a Tanner. No Tanner shall curry leather. No Currier shall currie any hide, but which is sufficiently tanned. No tanner shall put leather to sale, but redde, as it cometh from the tanne. No Tanner shall tanne shepeshinnes. BP. 5. El. 8. 1. 1. 2. H. 6. 7. 19. H. 7. 19.
- Pardon.** 6 A Pardon a; Protection for them who assisted the King in his warres against Rich. late Duke of Gloucester. BP.
- Hunting.** 7 The penaltie for hunting in the night, a; with disguising, and being examined to conceal the offence, a; any offendor. AB. Iustice of peace 16. Hunting 4. 3. Ed. 1. 10.
- Wines.** 8 No Gascopgne a; Ouien wines shalbe brought into the Kings dominions but by English, Welch, a; Irish mariners, & English, Welch, a; Irish mens ships. BP. 33. H. 6. 5. 3. Ed. 4. 3.
- Shike.** 9 A reuier for xx. yerres of the statute of 12. Ed. 4. 3. restraining the brynging into this Realme of wrought laces, girdles, &c. BP.
- Penalties.** 10 The penalties mentioned in the statute of 1. R. 3. 9. touching Italian Merchants reuoked for all others, and onely given to the King.

Statutes made at Westminster, 9. die Nouemb.

Anno 3. H. 7. & Anno Dom. 1487.

- Starre Chamber.** 1 The authoritie of the court of Starre Chamber. AB. Courts 4. Iustices of peace may charge an Enquest to enquire of the concealment of another enquest. AB. Iurors 9. The Coroners dutie after a murder committed. AB. Coroners 12. 13. 15. A Iustice of peace shall certifie a Recognizance by him taken for the keeping of the peace, at the next Sessions. AB. Iustice of peace 105. Indictment and appeale of murder. AB. Murder 1. &c. 11. H. 8. 10.
- Women.** 2 It shall be felonie to take and carry away a woman against her will, that hath lands a; goods, a; is heire apparant &c. AB. Women 12. 32. Eliz. 9.
- Prisoners.** 3 Two Iustices of peace in euery shire, citie, and towne, whereof one to be of the Quorum, may let any prisoners to baile, which be mainpernable by the law, untill the next generall Sessions of the peace, a; untill the next generall Gaole delinerie. AL. 1. &c. 2. P. & M. 13. The Sherife shall certifie the names of all the prisoners in his custodie at the next generall Gaole delinerie. AB. Prisoners 3.
- Fraudulent debty.** 4 All Deeds of gift of goods made of trust to the use of them which made 1. R. 3. 3. 12. El. 5.

made them to defraude Creditors of their duties, shall be void. AB. Fraudulent deedes 1.

5 All bargaines, couenants, promises, and suerties, termed by the name of Petto Cheuissance, or Dye Exchange, whereby any certayne summe of money shall be lost, shall be void. EP. 11. H. 7. 8. Dye exchange

6 All vnlawfull Cheuances, and Usurie shall be extirpat. All Brokers of such bargaines shall be set on the Pillorie, put to open shame, be halfe a yere imprisoned, and pay xi. li. EP. 37. H. 8. 9. Usurp.

7 There shall be a certificat made of goods brought into one Port, and custome med, and then remoued into an other. And the certificat shalbe entered into the Customers booke. No man shall enter goods in the name of another, whereby the King shall lose his custome. A common officer in any Citie, borough, &c. shalbe no Customers, Controller, or Searcher there. AB. Customs 15. 16. 19. 22. Customs.

1. H. 8. 5.

2. Ed. 6. 22.

1. E. 11.

8 Merchants Aliens, and of Ireland, Cernsey, and Carnsey, and viduallers, shall imploy the money by them receiued, vpon the merchandises of this Realme. AB. Merchants 9. 10. Merchants.

4. H. 1. 15.

17. Ed. 4. 1.

9 Citizens and Freemen of London may carrie their wares, victuall, and merchandise to any fayres or Markets that they will. AB. Faies 11. Londoners.

19. H. 7. 20.

10 Costs and dammages alwarded to the plaintife in some cases, where the defendant sueth a writ of Error before execution. AB. Damages 5. Error.

7. Ed. 4. 3.

27. H. 8. 13.

11 No Cloth shall be transported, before it be barbed, rowed, and shoyne. Cloth. AB. Draperie 9. 8.

12 The Kings Officers, or Tenants, shall not be retained by lueries, signes, tokens, oathes, or promises with others. AB. Lueries 7. 8. Lueries.

22. Ed. 4. 4.

13 Whosoever shall sell along Bothe above the pryce of iij. s. iij. d. shall forfeit xl. shillings. EP. 8. El. 10. Bowes.

14 Conspiring to destroyng the King, or any Lord, or any of the Kings Councill, or the Steward, Treasorer, or Controller, of the Kings house, shall be felonie. AB. Conspiracie 4. Conspiracie.

Statutes made Westminster 13. die Ianuarij,

Anno 4. Hen. 7. & Anno Domini 1488.

6. H. 6. 5.

12. Ed. 4. 6.

1 The Chancelor of England may graunt Commissions of Setvers into all the parts of England, and into the Parches of Calice, Ounes, and Hammes, during xxv. yeres next. EP. Setvers.

2 To what intent any pater or finer of Gold or siluer shall allaie, or melt the same, and to whom he shall sell it, and to what purpose. And he shall set his marke vpon it. AB. Gold &c. i. 2. Gold and Siluer.

3 Butchers shall kill no beasts within any walled Towne, nor in the towne of Cambridge. AB. Butchers 3. Butchers.

3. H. 8. 4.

4 Protections graunted to them which then were, or after should be in the Kings seruice in Britaine: And certayne immunities graunted to them, and certayne to the seoffes, executors, and heires of them which shall die in that seruice. EP. Protections.

5 A Repeale of all L. Patents graunted by the King, or any of his progenitors, to any spirituall persons, to be discharged of the paiement or collection of of Distnes. EP. L. Patents.

6 A Repeale of all L. Patents graunted of any office within the forest of Engletown in the Countie of Cumberland, so that the Dore were destroyed, (sauiug to the Lord Dacres, and Earle of Northumberland.) EP. Engletown.

7 Offices

King Henry the seventh.

| | | |
|---------------------------|---|--|
| Officers. | 7 Offices and fees granted to yeomen of the Crowne, and gromes of the Kings chamber, shall be no longer of force, then when they give their attendance. <i>RP.</i> | |
| Prices of clothes. | 8 Whosoever shall sell by retails a broad yarde of the finest scarlet grained, or other grained cloth of the finest making about xvij. s. or a broad yarde of any other coloured cloth about xi. s. and every other cloth of meaner goodnesse according to the rate, shall forfeit fortye shillings for every yarde so sold. <i>CB.</i> | |
| Hatts and caps. | 9 No Hatter or Capper shall sell any hatte above the price of twentie pence the best, nor any capps above the price of two shillings eight pence the best, upon paine to forfeit fortye shillings for every hatte or cappe sold above. <i>RP. 3. H. 8. 15.</i> | |
| English ships | 10 No Gascoyne or Guian wines, or Cholouse woad shall be brought into this Realme, but by English ships, and English master, and mariners. <i>AL. 5. El. 5.</i> No person shall freight in a strangers ship any merchandise, to be brought into this Realme, or carried forth, if he may haue sufficient freight in the same Port in Denizens ship. <i>RP. 1. EL. 13.</i> | 5. R. 2. 3.
5. & 6. Ed.
6. 18.
5. R. 2. 3.
14. R. 2. 6. |
| Wool. | 11 No person shall buy, or take promise of bargaine of any wolle that shall grow in Hertfordshire, Warkshire, &c. before the Assumption of our Lady, next after the shearing thereof, but such as shall make yarne or cloth thereof. No; any Merchant stranger before the purification of our Lady next after the shearing thereof, upon paine of forfeiture of the double value thereof. <i>EXP.</i> | 18. counties
4. Ed. 4. 4.
11. H. 8. 1.
37. H. 8. 15. |
| J. of peace. | 12 A Proclamation shall be made in all the Counties of this Realme, at every of the foure Quarter Sessions, That all Justices of peace shall execute their Commission, redresse iniuries, and maintaine the Lawes. <i>CB.</i> | |
| Clergie. | 13 Clergie shall be allowed but once. A convict person shall be marked with the letters <i>M.</i> or <i>L.</i> for murder or theft. <i>AB. Clergie 16.</i> And he that is within <i>W.</i> ders shall at the second time shewe his <i>W.</i> ders, or his <i>W.</i> dinaries Certificate, or else he shall lose the benefit of his Clergie. <i>RP. 28. H. 8. 1.</i> | |
| Earldome of March. | 14 All writings whereof sealing is requisite to be made by the King of any parcell of the Earldome of March, shall be under the great seale. <i>AB. Crowne 13.</i> | |
| Thames. | 15 The <i>W.</i> alor of London and his successors shall haue the like conseruation and authoritie in all the Issues, Breaches, and ground ouerflowen, as far as the water ebbeth and floweth, growne out of the river of Thames, as touching the punishment for vsing of unlawfull nets and engines, as he hath within the said river. <i>RP.</i> | |
| Farmes. | 16 The penaltie for taking of moze farmes then one in the Isle of Wight. <i>52. H. 8. 13. AB. Farmes 1.</i> | |
| Cestuy que vis his heire. | 17 The heire of Cestuy que vis (holding his lands by knights seruice, and declaring no will) being within age, shall be in ward, and being of full age shall pay reliefe: And shall haue an action of wast against his Gardein committing wast. <i>AL. 27. H. 8. 10. & 34. H. 8. 5.</i> | 25. H. 3. 6. |
| Forging of money. | 18 The forging of the coyne of other Realmes, allowed to be currant within this Realme, shall be high Treason. <i>RP. 1. M. 1. & 1. Ed. 6. 12.</i> | 1. M. 4. |
| Houses of husbandrie. | 19 If the owner of any house, that within thre yerres before hath bene, now is, or hereafter shall be letten to farme with xx. acres of land at the least, lying in Tillage, shall not maintaine houses upon the same ground and land, conue | 7 H. 8. 1. 1
27. H. 8. 22.
5. Ed. 6. 5.
1. & 3. P.
& M. 2. |

convenient for the maintenance of Tillage. The cheife Lord of whom the same lands be holden, may receive halfe the value of the profits of such lands, untill the houses be againe repayed; and distraine for the same. EP. 39.

Eliz. 1.

20 Actions popular prosecuted by collusion, shall be no barre to those which be pursued with good faith. AB. Actions 1.

Actions popular.

27. El. 31.

21 No stallbotes, nets, or engines shall be used for the taking or destroying of any fish, or trade of fish in the haven of Wyford in the Countie of Suffolke. upon paine of forfeiture of x. s. for every offence. EP.

Wyford haven

22 If any person bying, or put to sale any Gold of Venice, Florence, or Jeane, for a pound weight, which doth not containe xy. Dunces, so that the Gold packed be not in greatnesse of thred and colour wrought according to the outward shew thereof, he shall forfeit the same; or the value thereof. EP.

Gold thred.

23 The statute promised 17. Ed. 4. 1. against the transporting of Money, plate, or Jewels, revivied for xy. yeres. EP. No person shall pay Gold to an Alien. AB. Money 2.

Fines.

1. R. 3. 7

31. El. 3.

24 How often a Fine leued before the Justices of the Common place shall be read, and proclaimed, and who then shall be bound thereby. AB. Fines 3. 4. 5. 6. 7. 8. 10.

Statutes made Westmin. at Anno 7. Hen. 7.

¶ Anno Domini 1492.

3. H. 8. 5.

¶ If any Captaine, which is retained to serve the King in his intended warres on the sea, or beyond the Sea, shall not have the whole number of men, for the which he is retained, or shall not give them their full wages which he received of the King, without abating of them (except for their Apparell) he shall forfeit to the King all his goods and cattels, and be imprisoned. It shall be felony (without benefit of Clergie) for a souldier having taken prest to serve the King in his warres, to depart without licence. EP.

Captaines. Souldiers.

2 Every person that shall be in the Kings wages beyond the Sea; or on the Sea, shall have a Protection. And no discent shall prejudice them. And by his writing he may make his Attourney to enter into lands descended unto him, to attorne, &c. EP.

Protection.

3. H. 8. 4.

3 They which shall goe with the King to warre in France, may without licence alien their lands to the use of their Wills. And they shall have their stone Lineries, and authoritie to dispose the wardship of their Heires. A Sergeant of Armes absenting himselfe, shall lose his fee. EP.

Immunities to Souldiers Serjeant at Armes.

11. H. 7. 4.

12. H. 7. 5.

4 Weights & measures shall be made of brasse, according to the kings Standard of his Exchequer, & sent to every chiefe Citie, borough, and shire to wone, that all Weights and Measures of the same shire may be made by them. S. Weights 7. &c.

weights.

5 Riens deins le gard shall be no challenge upon any issue to be tried in London. AB. Challenge 4.

Challenge.

6 L. Patents made to severall spiritual persons, to be discharged of dimes & quindimes, shall extend no further then they did in the time of R. E. 4. EP.

Dimes. Quindimes.

7 All Scots not made Denizens, shall depart this Realme of England and Wales, within fortie dayes after Proclamation, upon pain of imprisonment, and forfeiture of all their goods and cattels. EP. 4. Jac. 1.

Scots.

8 Every But of Palmes shall containe Cxxvj. gallons, and every other chaut stranger shall pay for custome xviij. s. a But, besides the old customes, &c.

Palmes.

King Henry the seuenth.

no But shall be sold for aboute iiij. li. which new imposition shall be, untill the Venetians abate their new imposition of iiij. Ducats at Candie. *EXP.*

Statutes made at Westm. 14. die Octobris,

An. 11. Hen. 7. & Anno Domini 1495.

- Kings service.** ¶ 1 No person that shall attend vpon the Kings person, and doe him true service in warre, within the Realme, or without, shall be therofore attainted of Treason, or other offence, by Parliament, or in any other maner, or shall forfeit life, lands, or et. AB. Forfeiture 4.
- Vagabonds.** 2 Vagabonds, idle, and suspected persons shall be set in the stocks thre dayes and thre nights, and haue none other sustenance but bread and water, and then shall be put out of the towne: And if any be taken in the same towne a second time, he shall be put into the stocks vs. daies, with like diet. And whosoer tyneth such idle person more, shall forfeit xij. s. Every begger not able to worke, shall resort to the Hundred where he last dwellect, to best knowe or was bozne, and there remain vpon the payne aforesaid. As artificer, labourer, or seruant shall play at any vnlawfull game, but in Christmas. *HP.* 33. H. 8. 9. Two Iustices of peace may relect common selling of Ale. *AL.* 5. Ed. 6. 25.
- Beggars.** 3 The Iustices of Assise in their Sessions, and the Iustices of Peace in euery Countie, vpon Information for the King, shall haue authoritie to heare and determine all offences and contemptes, (sauing Treason, Murder, or Felonie) committed by any person, against the effect of any Statute made, and not repealed. *HP.* 1. H. 8. 6.
- Justices au- thozitie.** 4 The names of the Cities and Townes limited for the keeping of those Weights and Measures, with the which, or others marked by them, all men shall buy and sell. AB. Weights &c. 7. 8. 9. 10. 7. H. 7. 4. 12. H. 7. 5.
- Weights and measure.** 5 Every man may pull downe the weares and engines in the Haven of Southampton betwene Calshot and Keybridge: And whosoener leuyeth any other there, shall forfeit C. li. R.
- Southampton haue.** 6 Where the custome shall be paid, when wollen Clothes be packed in one Port, and shipped in an other. AB. Customes 16. 12. Ed. 4. 3.
- Customes.** 7 The principal Masters or leaders of any persons to commit a Riot, or vnlawfull assemble, shall be committed to prison so long time, as pay such fine, and be bound to the peace with sureties in such summe of money, as shall seme mete to the Iustices of peace, before whom the complaint is made, or the Indictment found. And if the Riot be with xl. persons, or thought haynous, then the Iustices of peace shall certifie the same, and send vpon the Record of Conuision to the King and the Councell. *EXP.*
- Riot.** 8 He that lendeth his Money vpon vsurie, or maketh any bargaine for lands or goods grounded vpon vsurie, shall forfeit the one halfe thereof. *HP.* 37. H. 8. 9. A Repeal of the Statute of 3. H. 7. touching vsurie.
- Usurie.** 9 North and South Tindale, and all the lands within the same shall be gildable, and parcell of the Countie of Northumberland: and no franchise shall be there, but all the Kings writs and officers shall be obeyed. And no man shall demise any lands for yeres, life, or at will there, but the lessee shall before find two sureties, hauing at the least xl. s. of freehold within the Countie of Northumberland to be bound by Recognizance in xx. l. to the king, to make answere within eight dayes warning to all Murders, Treasons, Felonies, &c. And the lessee shall forfeit xl. s. for euery acre otherwise let, to the King and Inf. And the lease shall be void. R.
- Tindale.** 10 A remedy to leuie a Subsidy or beneuolence before granted to the R. *HP.*
- Subsidie.** 11 The

11.H.7.1.
5.Eliz.4.

17 The citizens of Norwich may take to apprentice the sonne or daughter of any person, notwithstanding the Statute of 7.H.4.17. No man shall be a Worcester shearer in Norwich, unless he hath been seven yeares an apprentice, or be allowed by the Mayor and Masters of the Companie. The Worcester shearmen, and shearmen in Norwich shall make no ordinance amongst themselves, but such as the Mayor and Aldermen shall thinke necessarie. No inhabitant in Norwich, being not a sheerman, shall keepe a sheerman in his house. 19. H.7.17.

12 A meane to helpe and speed poore persons in their suits. AB. Poore people. 19. H.7.17.

11.H.8.7.
1.Ed.6.5.
5.Eliz.19.

13 No person shall carrie any horse out of this land without the licence, or mare under the age of thre yeares, and above the value of vij.s. viij.d. unless it be to his owne use, not purposing then to sell it. Everie person shall give for the custome of a mare to be transported, vij.s. viij.d. and he that will give vij.s. for her shall have her. CE. Transporting horses.

1.H.7.22.
11.H.8.2.

14 All Aliens made Denizens shall pay such customes for their marchandise as they did before. AB. Customes 13. Customes.

15 The manner of entring of Plaints in Countie Courts, of examining of Sherifes, by the Justices of peace, of execution of Precepts by Bailifes, of viewing of the Sherifes estreats, and gathering of them. AB. Sherifes 16.17.18.19.20. Sherifes Counties.

16 He that hath a freehold in Calice, out of the which there is issuing a yearly chiefe rent toward the maintenance of the watch there, if he pay not his said chiefe rent within a yeare and a day after it is due, he shall forfeit the said freehold to the king and his heires. 19. H.7.17. Calice.

7.Jac.11.
13.Eliz.10.
1.Jac.17.
31.H.8.12.

17 The penalitie for taking of Fefants or Partridges with snares. AB. Fefants. Fefants 1. And for taking of the eggs of Hawkes or Swannes, for taking, searing, or killing of Hawkes, bearing of English Hawkes, and of bying, ers of Hawkes from foraine Countreies without a Certificat. AB. Hawkes 3.4.5.6. Hawkes.

19.H.7.1.

18 He that will not goe in person with the king in his warres, where he is in person, shall forfeit his offices, fees, and annuities given him by the king, unless he be sick, or hath the licence. 19. H.7.17. R. service.

5.Ed.6.13.

19 What stuff Upholsters shall put in featherbeds, boulders, and pillows. Upholsters. AB. Upholsters 1. &c.

6.Ed.1.7.

20 What Aliengations made by the wife of the lands of her deceased husband shall be void. AB. Women 1. &c. women.

37.H.8.5.
13.H.8.3.

21 Of what abilitie every man ought to be, which shall be impanelled in any Attaint or Enquest in London. And what course such man making default of appearance shall forfeit in issues. Attaint may be sued by bill in the Hustings in London. AB. Attaint 13. &c. Jurors 16.27. Attaint.

13.H.6.13.

22 The severall yeares wages of servants in husbandrie, viz. of the Bailife of husbandrie, chiefe Hind, Carter, or Shepheard, common servant, woman servant, and child within xij. yeares of age. And the severall wages of Artificers, and day-labourers with meat and drinke, or without, and severall times limited for their twelke meales, and sleep. 19. H.7.9. & 1. Eliz.4. 19. H.7.9. & 1. Eliz.4. Servants Labourers.

11.Ed.4.1.

23 What is requisite necessarie in selling and putting to sale of Salmon, Herring, and Eels. The contents of their severall vessels, the packing of them, and how much the Gauger shall take thereof. AB. Fish 8.2.1.2.3.4.5.6.7.8.9.10.11.12.13.14.15.16.17.18.19.20.21.22.23.24.25.26.27.28.29.30.31.32.33.34.35.36.37.38.39.40.41.42.43.44.45.46.47.48.49.50.51.52.53.54.55.56.57.58.59.60.61.62.63.64.65.66.67.68.69.70.71.72.73.74.75.76.77.78.79.80.81.82.83.84.85.86.87.88.89.90.91.92.93.94.95.96.97.98.99.100. Fish.

13.H.8.3.

24 An Attaint shall be maintainable against the partie and petit Jurie. The process therein, the abilitie of the Jurors, the pleas of the defendant, and petit Jurie, 19. H.7.9. & 1. Eliz.4. 19. H.7.9. & 1. Eliz.4. Attaint.

King Henrie the seventh.

- Panels.** Jurie, and their punishment being attained. Panels returned by the Sheriffe to inquire for the King, may be reformed by the Justices. *3.H.8.11.*
- Periurie.** 25 Justices of peace shall examine and reforme the Panels returned before them. Periurie committed by unlawful maintenance, embracing, or corruption of officers, or in the Chancery, or before the R. Council, shall be punished by the discretion of the Lord Chancellor, Treasurer, both the chief Justices, and the Clerk of the Rols. And if the complainant prove not or pursue not his bill, he shall yield to the partie wronged his costs and damages. *3.H.8.11. 5.Eliz. 9.*
- Juries in Tunes.** 26 It shall be lawfull to swere Sheriffs of the Counties of Southampton, Surrey, & Sussex, to impanell & summon xxij. lawfull men of such inhabitants within the precinct of euerie of his or their Tunes, as owe suit to the same Tunes, whereof every one hath lands of freehold to the pecy value of x.s. or copyhold lands to the pecy value of xij.s. liij. s. about all charges within any of the said Counties, or mer of lesse lineithen, if there be not so many there, notwithstanding the Statute of 1.R.3.4. *19.H.7.16.*
- Fustians.** 27 A remede to auoyd deceitfull sleights used vpon fustians. *AB. Fustians. 39. Eliz. 13.*

Statutes made at Westminster 16. die Ianuarij, An. 12. H. 7.

& Anno Domini 1496.

- Apprentices.** ¶ 1 The makers of Velvets, Ray, and Stamin, in Gasfolke, may take any to be Apprentice. *AB. Labourers 29. Q. whether in force.*
- Periurie.** 2 The Statutes made 11.H.7.24. & 25. touching the punishment of Periurie, continued vntill the next Parliament. *EXP.*
- Labourers.** 3 A Repeale of so much of the Statute of 11.H.7.22. as toucheth onely the wages of Artificers, Labourers, & Workmen in husbandrie. *5.Eliz. 4.*
- Forfeiture.** 4 No forfeitures given by the Statute of 1.R.3.8. touching the length and breadth of clothes, shall be taken before the beginning of the next Parliament. *AB. Draperie 5.8.*
- Weights.** 5 The weight of an English pinte, of an ounce, a pound, a gallon, and a bushell. *AB. Weights 2.* The weights and measures sent to severall cities and townes by force of the Stat. of 11.H.7.4. being defective, shall be broken, and new shall be sent to the same. *AB. Weights 7.8.9.10.*
- Merchants.** 6 Euerie Englishman shall haue free recourse to Flanders, Holland, Zealand, and Brabant, to the Ports there, with their merchandizes, to buy & sell, without any exaction or imposition to be taken by any English person or straiterie, saving onely 1. markes. *CB.*
- Clergie.** 7 No lay person shall by purpose murder his Lord, Bishop, or Dignitary, shall haue his Clergie. *AB. Clergie 13. 23.H.8.11. 32.H.8.3.*

Statutes made at Westminster 26. die Ianuarij, An.

19.H.7. & Anno Dom. 1503.

- R. Service.** ¶ 1 Witholdenr vntill 11. in his owne person daily attend vpon the king, being in his diuin person in wars, or in his wife, shall forfeit such lands &c. as he hath by the Letters patents of the King that now is. *EXP.*
- Bow-Games.** 2 No citizen shall be payed for any stident Bow-Games of the length of six fot and a halfe, brought into this Realme, before the next parliament. *EXP.*
- Attainr.** 3 The Stat. of 11.H.7.24. touching an Actent to be granted in certain cases, continued vntill the next Parliament. *EXP.*

3.H.8.13.

4 Whosoever is indicted and convicted for shooting in a Crosbow, without the li. licence, under his privie Seale or Signet (except it be for the defence of his house, he a Lord, or have 200 marke land) shall forfeit for every day xi. s. to the King, and the Crosbow to him that will seize it. *HP. 6.H.8.13.*

Money.

5 The copines of gold and silver now current within this Realme, shall so continue for the summe that they were copied for, & the refusers thereof shall be imprisoned. No money, plate, or bullion of gold or silver shall be carried into Ire- land, nor any Irish money shall be brought into England. *AB. Money 4.5.*

Ireland.

4.H.8.7.

25.H.8.9.

6 In what places Pewter and Brass shall be sold, of what goodnesse they ought to be. The wares made thereof, and the marking, weighing, and sear- ching of them. *AB. Pewter 1.2. & Brass 1.2.*

Pewter and Brass.

15.H.6.6.

7 No ordinances shall be made by fellowships of Crafts, but by the consent of the Chancelor, Treasurer, or Justices. No order shall be made to restraine suit in the li. Court. *AB. Corporations 1.2.*

Orders by fellowships.

8 No Sawage or the wage shall be paid for marchandise customed. *AB. Mar- chants 2.*

Strandage.

9 Proses in Actions upon the case sued in the li. bench, and common place. *AB. Proses 2.*

Action upon the case.

14.Ed.3.10.

10 The Sherife of every Countie shall have the keeping of the common Gaole within that Shire, and of the prisoners therein. *AB. Prisons 1.* Several penalties for the negligent escapes of severall sorts of offenders. *HP. All grants made for the keeping of Gaoles, and of any castles wherein any such Gaoles be, returned.*

Gaoles.

11 The penalties for keeping of Buckstals, Stalking, and taking of Ve- rons. *AB. Hunting 2.3. Herons 1.2.*

Buckstals.

12 The like remedies provided for the punishment of Vagabonds, poys- people, unlawfull games, and Alehouses, as were ordained 11.H.7.2.

Vagabonds. Alehouses.

13 What Jurors shall be impanelled to inquire of a Riot, how much in Ri- fues shall be returned upon every of them: and the punishment of maintainers, by whose means a Riot is not found. *AB. Riots 14.15.*

Riot.

1.H.4.7.

8.Ed.4.2.

14 The forfeiture and punishment for giving, taking, or wearing of line- ries, signes, tokens, or badges, & for retaining or being retained, and in what cases and by whom the same is lawfull. And in what courts, and by what ma- gistrates the said offences be inquirable, and punishable. *HP.*

Lineries. Retaining.

1.R.3.1.

15 The lands of Cestuy que vie shall be put in execution for his debt due by Judgement, Statute, or Recognizance, shall satisfy the chiefe Lord his re- liefe, and hariat, And, he being a bondman, they may be seized by his Lord. *AL. 27.H.8.10.*

Cestuy que vie.

16 The Statute of 11.H.7.26. touching the abilitie of Jurors impanelled in the Sheres Lurnes, in Surrey, Sussex, and Hampshire, continued untill the next Parliament. *HP.*

Shires in Lurnes.

12.H.7.1.

5.Eliz. 4.

17 So much of the Statute of 11.H.7.11. as concerneth the taking of ap- prentices in Roiswich, confirmed. And the residue of the same Statute touching Worsled sheavers, repealed.

Apprent in Roiswich.

9.H.6.5.

23.H.8.12.

18 The penaltie of those which take impositions of Boates passing upon the river of Severne. *AB. Boates 10.*

Boates.

2.H.6.7.

2.H.7.5.

19 No Shomaker, or other to his use, shall occupie the misterie of a Currier. No Currier shall be a Shomaker. No Tanner shall put a hide to sale before it be sufficiently dyed. *HP. 5.El.8.*

Shomaker.

20 A confirmation of the Statute of 3.H.7.10. that costs and dammages shall be awarded to the plaintife, where the defendant sueth a Writ of Error. *AB. Damages 5.*

Dammages.

King Henrie the feuenth.

- Silke.** 21 Certaine things bought of Silke, not lawfull to be brought into this Realme. AB. Silke 1.
- Calice.** 22 A Repeale of a Statute (not printed) made 4. H. 7. That no inhabitant in Calice should be Attorney or Judge for any Merchant of the Staple there.
- Wylard.** 23 All Statutes, Acts, or Ordinances, made, as to be made in derogation of the Liberties and Customes of the Merchants of the Staple, called Guilhalda Thewonorum, shalbe void and repealed. But this shall not be prejudiciall to the citizens of London, or their successors, for any thing given them by the kings of this Realme, or by Parliament.
- Countie Court.** 24 The Shire Court for the Countie of Sussex shalbe holden one time at Chichester, and another at Lewes. AB. Countie 2.

Statutes

Statutes made at Westminster 21. die Januarij, An

1.H.8. & Anno Dom. 1509.

- 1 **A** Repeale of the Stat. of 8.H.6.2. prohibiting the R. subjects to repaire Denmark. into Denmark.
- 2 The king nor any other shall take advantage of the penalties li- Cloth.
mited by the Statute of 1.R.3.8. touching the making of severall
sorts of Clothes, before the next Parliament. EXP.
- 3 All Acquittances made by John Hieron the R. generall Receiver, or by a Hierons Te-
ny other to be appointed in his office, of any of the R. revenues, or duties, shall quittances.
be a sufficient discharge against the king. And the said John Hieron & others
in his place shall likewise stand chargeable to others. AC. EXP.
- 31.Eliz.5. 4 All Actions, Informations, and Indictments, to be made or taken for the Informations.
R. upon any penall Stat. shall be taken within three yeeres after the offence com-
mitted, and for any other person within one yeere. EXP.
- 2.Ed.6.12.
1.Eliz.11. 5 A Repeale of part of the Statute of 3.H.7.7. touching Englishmen co- Customers.
lourably entring into Customers houses in their owne names the goods of
Parchants Aliens. The penaltie for customing of the goods of others, where-
by the king loseth his dutie. Customing of the wines of others. AB. Customes
18.19.20.
- 3.Ed.1.10. 6 A repeale of the Stat. of 11.H.7.3. which giveth authoritie to Justices of Justices au-
Assise and Just. of peace, to inquire and determine of divers offences. thoritie.
- 7 So he shall be due to a Coroner, where any person is slain by misadven- Coroner.
ture, and yet he shall do his office diligently. AB. Coroners 15.
- 23.H.6.17.
14.Ed.3.8.
3.H.8.2. 8 An Escheator must have 21. marks land, returne no offices into any of the Escheator.
R. Courts, but which be found by a Jurie, suffer everie person to give evidence
upon the finding of an office, receive an office found by a Jurie, & deliver them
the Counterspane, sit in an open place, and shall exercise his office but one yeere.
AB. Escheators 4.5.6.7.8.10. Offices 2.5.
- 9 The Chancelor of England, or the Keeper of the great Seale, may verely Stamps
appoint two thre, or foure persons, of Stamps Parish, to receive the toll and bridge.
custome due, and to imploy the same upon the reparation of Stamps Bridge
and Causey in the Countie of Spiddlester, and thereof to give account yearly
betwene the feasts of S. Michael and All Saints, to the said Chancelor, or
such as he shall appoint. R.
- 26.Ed.3.13.
8.H.6.16.
18.H.6.6. 10 Lands seised into the R. hands upon an Enquest of office, shall be let to Traverse.
farme to him that offereth to traverse the same within thre monethes. AB. Pa-
rents 26.
- 11 The Statute of Attaint, and reforming of Panels, made 11.H.7.24. Attaint.
continued untill the next Parliament. EXP.
- 12 Untrue Inquisitions found by the procurement of Sir Richard Emp- Empson;
son and Edmund Dudley, intituling the king to tenures in capite, may be tra- Dudley.
versed by the possessors of the same lands, though the parties have sued their li-
ueries accordingly. EXP.
- 13 The Statute of 17. Ed.4.1. & 4.H.7.23. inhibiting the transpor- Transport
ting of money, plate, or jewels (saving for the penaltie of felonie) shall be conti- Money.
nued. EXP.
- 14 A Repeale of all former Statutes made against ercesse of apparel. What Apparel.
kind of apparell men of all degrees and callings are allowed, and what prohi-
bited to weare. EXP.

King Henrie the eight.

**Statutes
to Emplon
and Dudley.**

15 All assurances made to Sir Richard Empson, knight, or Edmund Dudley, Esquier, attainted of high treason, of lands to the use of others, shall be void, and their ioynt feoffees shall stand seised of the whole. *EXP.*

Statutes made at Westminster 4. die Februarij, An.

Anno 3. H. 8. & An. Dom. 1511.

- Gold & silver.** ¶ 1 Curie person that shall carrie ouer the sea any money, plate, vessel, bullion of silver, or iewel of gold, contrarie to the stat. of 17. E. 4. 1. & 4. H. 7. 23. shall forfeit the double value thereof. *EXP.* 9. Ed. 3. 1.
- Escheatoys.** 2 The stat. of 1. H. 8. 8. touching Escheatoys, and finding of Offices, made perpetual. 33. H. 8. 9.
- Trecherie.** 3 All sorts of men vnder the age of 14. yerres (certaine except) shall use shew, sing in long Bowes, and shal haue Bows and Arrows. Bowstanes brought into this Realme, shall be open, and not sold in bundles. *EXP.*
- Protection.** 4 Curie person that is or shalbe in the W. warres, shall haue a protection of Proscuturus, or Moratur, cum clausula Volumus. And no discent shall pzein- dice him: and he may alien his land holden in Capite without licence. And if he die in that seruice, his heire within age, and in Willard, his executoys, feoffers, or assignes, shall haue the wardship and marriage, toward the performace of his Will. *EXP.* 4. H. 7. 4.
7. H. 7. 2. 3.
- Captaines.
Souldiers.** 5 The penalties of a Captaine abrogging his prefixed number of Souldiers, or for detaining of their wages, and of a Souldier hauing taken prest money, to depart without licence. *AL.* 4. & 5. Ph. & Mar. 3. AB. Captaines 3. & 15. 7. H. 7. 1.
18. H. 6. 19.
2. Ed. 6. 2.
- Draperie.** 6 The seuerall dueties of a Breaker, Kember, Carder, Spinner, Weller, Walker, Fuller, Clothier, and Rulnager, concerning true making, draping, and sealing of wollen clothes. *EXP.* 7. Jac. 7.
- Clothes.** 7 A confirmation of the stat. of 7. E. 4. 3. & 3. H. 7. 11. made to restraine the transportation of yarne or wollen cloth, before it be fulled, barbed, rowed, or shorne. *AL.* 27. H. 8. 13. & 33. H. 8. 19. 5. H. 8. 3.
- Witnall.** 8 By whom the prices of victuals shalbe assessed, when a Witnaller is chiefe Officer of a Cite, Borough, or Towne corporat. *AB.* Victuals 9. 11. Ed. 3. 6.
6. R. 2. 9.
- Hummers.
Wisoys.** 9 Hummers shalbe imprisoned thre moneths, and fined at the discretion of the Iustices, by whom they shalbe deliuered out of prison. He that kepeth any wisoys in his house, shall forfeit for euery of them *xx.s.* *EXP.*
- Aliens.
Leather.** 10 No Alien bozne shall buy leather, or wares made thereof, in any secret places, but in the open Market in London. And the Wardens of Curriers may search within franchises, &c. *EXP.* 5. Eliz. 8. 5. H. 8. 7.
- Physicians.** 11 By whom curie Physician and Chirurgian in London and elsewhere shalbe allowed. *AB.* Physicians 6. Surgeons 1. 2. 34. H. 8. 8.
- Paucis.** 12 Panels returned by the Sheriffe to inquire for the king, may be reformed by the Iustices. *AB.* Iurors 8. 11. H. 7. 24.
- Crossebowes.** 13 A confirmation of the stat. of 19. H. 7. 4. obtained against shooting in Crossebowes: and all Blacards granted, reuoked. *EXP.* 6. H. 8. 13.
- Oyle.** 14 Who may search oyle in London, and other Cities and Townes, and punish such as sell false and mixt oyles. *AB.* Oyle 1. 2.
- Hats & Caps.** 15 Who may buy hats and caps brought beyond the sea. Hats and caps made within this Realme shalbe sufficiently wrought and coloured. The prices of seuerall sorts of hats and caps. All statutes made for hats and caps repealed. *EXP.* 1. Jac. 25. 11. H. 8. 9.
1. M. 11.

Statutes

Statutes made at Westminster 4. die Nouembris, An.

4.H.8. & An.Dom. 1512.

- ¶ 1 Substantiall Bulwarkes, Bayes, walls, ditches, and other fortifications, shalbe made in euery such landing places by the sea coasts, by the inhabitants of the same countie, as the Iustices of peace and Sherife in that countie where any such landing places be, shall thinke needfull. *BP.* Bulwarkes.
- 2 The benefite of Clergie taken from him which committeth murder or felonie in a halowed place, the highway, or a dwelling house. *AB. Clergie 13. A felon arraigned for murder or felonie, pleading that he was taken out of a priuiledged place in another Countie, shalbe tried by the same Iurie that shall try the felonie or murder. AL. 1. Iac. 25.* Clergie. 1
Sanctuarie.
- 3 A remedie for the Iuratores and Sherifes of London to recouer issues forfeited by Iuratores in their Courts. *Writs in London for the trial of suites depending in the R. Courts at Westminster: And what issues shall be returned upon the Iuratores. AB. Iuratores 16.* Issues in London.
- 4 Proclamations shall be made to giue warning to him, that dwelling in one Countie, is sued to an Exigent in a personall action in another Countie. *BP.* Exigent.
- 5 A Repeale of the Stat. of 12. R. 2. 4. and of all other Stat. by which any penalties be imposed upon the Master of a seruant, or a giuer of wages. Wages.
- 6 No Collect or Comptroller of the Subsidie shall take any thing for leasing of cloth of gold, siluer, velvet, &c. neither shall he delay any Merchant therein. *AB. Customers 12.* Collectors of Subsidie.
- 7 In what places pewter and brasse shalbe sold or changed: Of what goodness the same ought to be: The wares made thereof, and the marking, weighing, and searching thereof. *AB. Pewter 1. &c.* Pewter. 1
- 8 All suits, accusgements, condemnations, executions, fines, amerciaments, punishments, corrections, grants, charges, & impositions, put, or had, or hereafter to be put or had upon Richard Strode, and to enerie of his complices, that now be of this present Parliament, or that of any Parliament hereafter shall be, for any bill, speaking, reasoning, or declaring of any matter concerning the Parliament to be communed and treated of, shalbe utterly void. And he that is bered shall haue an Action upon the case, and recouer treble damages and costs. *Q. whether this be generall, or for R. Strode onely.* Free speeches in parliament;
R. Strode.

Statutes made at Westminster 23. die Ianuarij, Añ

5.H.8. & Anno Dom. 1513.

- ¶ 1 A forme of Administration of Iustice to the R. Subjects of his citie of Turney. Turney, viz how they may haue assurance and recoverie of their debts due to them by Englishmen, and how Englishmen of them. *BP.*
- 2 White Straits made to be sold within the Countie of Denon, raw, ready to be tucked, shalbe a yard and halfe a quarter broad, and xv. yards long. *BP.* Draperie.
- 3 No Clothier shal vse such mark as another doth. *AB. Draperie 52.*
- 4 White wollen Clothes of five markes price, or vnder, may be carried over the sea vnholme, vnroved, or vnbarbed. *AL. 27. H. 8. 13.* Clothes.
- 5 No Writ shalbe dyed kalendred. Who shal wet kalender Writs. *AB. Writs 2.* Writs.
- 6 What issues the Sherifes of London shall returne upon Iuratores impelled to trie issues in the R. Courts at Westminster triable in London. *AB. Iuratores 16.* Issues in London.

King Henrie the eight.

- Surgeons.** 6 Surgeons of London shalbe exempt from being Constables, bearing of arms, or to be put in watches, or Enquests: So that they exceed not at one time above the number of xij. persons. AL. 32. H. 8. 42.
- Strangers.** 7 All strangers borne being of the fellowship of the blessed Trinitie, and all other persons borne vnder the Emperors, & king of Castiles dominions, may buy red leather, or other leather curries, or not curried, in open Markets and faires, sufficiently wrought, attased, and sealed, notwithstanding the Stat. of H. 8. 10. EP. 5. Eliz. 8.
- Leather.**
- Pardon.** 8 No person that will sue for the R. pardon, heretofore granted vpon certaine articles, shall haue the benefit of it, so that he pay such fees for the sealing, and other duties in the R. Courts, as shalbe appointed by the king or his assignees. EP.

Statutes made at Westminster 5. die Februarij, An.

6. H. 8. & An. Dom. 1514.

- Apparell.** 1 A restraint for all Temporal men to vse excess of apparell. EP. 7. H. 8. 7.
- Archerie.** 2 The Stat. of 3. H. 8. 3. touching shooting in long Bowes, and bringing into the Realme of Bow-staves, made perpetuall. EP. 33. H. 8. 9.
- Servants.** 3 The severall wages of servants in husbandrie, artificers, and day labourers, and the penaltie of those which take more. EP. 5. Eliz. 4. 7. H. 8. 5. 6.
- Exigent.** 4 Proclamations shalbe awarded to give notice to him, which dwelling in one Countie, is sued to an Exigent in another. AB. Exigent 5. 4. H. 8. 4.
- Husbandrie.** 5 The penaltie for decaying any towne, or house of husbandrie, or for converting tillage into pasture. EXP. 4. H. 7. 19. 7. H. 8. 1.
- Remouing of prisoners.** 6 The Just. of the R. Bench may remaund prisoners out of the R. Bench into the Countrey to be tried. AB. Remouing &c. 2.
- Fares about London.** 7 The severall summes that Watermen shall take for their fare, from one place to another nere to the Citie of London. And the Watermen refusing to accept the said prescribed fares, shall forfeit treble the value thereof. AB. 2. & 3. P. & M. 16.
- Straits.** 8 A confirmation of the Stat. of 5. H. 8. 3. touching white Straits. And russet Straits shalbe of the like length and breadth, and being raw shall weigh xiiij. pounds. AL. 27. Eliz. 18. 7. Ed. 6. 9.
- Draperie.** 9 The weight of the wolle deliuered by the Clothier to the Carder, Spinner, &c. and by them redeliuered. The Wileaner shall put into the Cloth all the wolle, or restore it. The measure of wollen cloth to be sold. Where shall be no buying of coloured wolle, or yarne, but in the market. Draperie 54. 67. 68. 74. Shrinking of cloth, staining of cloth, putting of decciuable things into cloth. 14. H. 8. 11. AL. 5. Ed. 6. 6.
- Deiwers.** 10 Commissions of Deiwers may be granted through this Realme, and the Marches of Calice, Guines, and Hammes, for x. yer. EP.
- Bow-staves.** 11 The Statute of 1. R. 3. 11. touching bringing of Bow-staves into this Realme, shall not extend to any subject borne in England, Wales, or Ireland. EP.
- Woolstoke.** 12 Whosoever shall ship or carrie beyond the Sea, any Wools called Ire-land, or other Wools growing in Woolstoke, or the borders thereof, necessarie for the making and breaking of Woostres and Stamines, shall forfeit for euerie stone xj. s. And all Licences graunted, and to be graunted thereof, shall be void. EXP.

14.H.8.7.

13 Whosoever shall shut in, or keepe in his house, any **Crossebold**, or **Crossebold** (without the licence) knelle he hath yearly reuernes to the value of 300. Markes, shall forfeit the same, and 1. l. for euery that. **Handgun.** 15.H.8.12. All former Statutes touching shooting in Crossebolds repealed.

14 The Stat. of An. 12. E. 4. fo; the payment of **Tonnage** and **Pondage**, shall stand good during the kings life, and no longer. **Tonnage.** **Pondage.**

15 What shall be expressed in Patents of lands, offices, or other things, before granted to some others, during the kings pleasure. **Patent.**

16 No knight, Citizen, Burgess, or Baron, shall depart from the **Parliament** before it be ended, without licence. **Parliament.**

17 The **Mayor**, **Aldermen**, **Citizens**, and **Communitie** of **Canterburie**, with the aduice of the **Archbishop** of **Canterburie**, and two or three **Knights**, being **Iustices** of peace, and of the **Mayor** of **Sandwich**, may cause to be deepened, enlarged, cleansed, and scoured, the river of **Canterburie**, betweene **Chart** and **Canterburie**, & from the said cite to the common crane in the town of **Fordwiche**, in such manner as **lyters** and **boats** may haue by the same river full passage for carriage. And also may stop ditches, & make & inhaunce bays, dams, walls, and bynks, for the inhauncing of the river, and abate, take away, & pull downe all mills, byldges, and other impoiments, whereby the course of the sayd **lyters** and **boats** shall be letted. And an **Action** or **Suit** shall be maintainable therefoze. But euery person that shall be damnyfied shall be reasonably satisfied by the **Mayor**, **Aldermen**, &c. as the said **Archbishop** and **Knights** shall aduise. **R.**

18 The **Undersherifs**, and all other **Officers** of **Sherifs** within the **Sher** of the shires of **Wiltshire**, **Sal.** or may continue their offices from yeare to yeare in like manner as the **Undersherifs**, &c. doe, and may do in **London**, **Poswith**, standing the Stat. of 13. H. 6. 8. **AB. Sherifs** 4.

Crossebold.
Handgun.

Tonnage.
Pondage.
Patent.

Parliament.

Canterburie
River.

Sherifs in
Wiltshire.

Statutes made at Westminster the Nouembrys,

Anno 7. H. 8. & Anno Dom. 1515.

¶ 1 Because by the desolation & pulling downe of houses & colones, and laying to pasture land, which customably hath bene manured & occupied with tillage, holence, the ground & beginning of all mischiefs, doth increase: men, women, and children, that were daily occupied & liued by sowing of corne, breeding of cattell, and other increas, & their progenies, being in husbandrie, the greatest commoditie in this Realme for sustentance of man, is decayed: churches be destroyed, the service of God is withstanding: Christian people there buried are not praied for: the **Parsons** and **Cure** be incommunities & market toynes be brought to great ruine and decay: necessaries for mans sustentance be made scarce and deere: the people of the Realme be famynished: the power and defence thereof is feeble and decayed, to the high displeasure of God, and against his lawes, and to the subuersion of the commonwealth, and desolation of the same: Therefore it is enacted, That if any person shall downe any towne, hamlet, or house of husbandrie, or convert tillage into pasture, and doth not repaire the same againe within one yeare, The iurisdiction of the Lord may asseigne for the makinge of the value of the land and profit of such lands, whereof the house of husbandrie is not maintained, untill the same house be againe repaired for the occupying of husbandrie. And if the same Lord or immediat do not execute the promises, Then the Lord shew him may doe it within halfe a yeare. But this shal not be prejudicial to any Parks or Warrens, for walling, or inclosing. **RP.** 39. **Eliz.** 1.

4.H.7.19.
6.H.8.1.
27.H.8.12.
1.Ed.6.1.
3.Eliz.1.

Townes.
houses of
husbandrie.

King Henrie the eight.

- A repeale of Licences.** 2 A repeale of all Licences granted by the king to divers persons, to bryng into this Realme Calcoigne, or Guian wines, or Cholouse wine, contrary to the Statute of 4.H.7.10.
- Actions popular.** 3 Within what time all Actions, Suits, Bills, Indictments, or Informations popular, shall be sued. EP. 3.1.Eliz.5.
- Recoverys.** 4 Recoverys may distraine the tenants of the lands recovered for rents, services, and customs. And bryng a Quare impedit for an Advowson. AB. Recoveries 1.
- Wages.** 5 The severall wages of servants in husbandrie, artificers, and day labourers, and the punishment of those which take more. EP. 5.Eliz.4.
- Labourers in London.** 6 Carpenters, Fre masons, Bricklayers, &c. may take such wages in London, as they did before the Stat. of 6.H.8.3. EP. 5.Eliz.4.
- Apparell.** 7 A repeale of the Stat. of 6.H.8.1. and of all other Stat. for apparell made before it. What kind of apparell tempoꝝall men of all degrees and estates are allowable, and what prohibited to weare. EP. 24.H.8.13.

Statutes made at London 15. die Aprilis, An. 14. H. 8.

& 31. die Julij, Anno 15. H. 8. & Anno Dom.

1523.

- Woollen cloth.** 1 No person shall sell or deliver to any Merchant boꝝne out of the R. or beyfance, or to any other to his use, any broad white woollen Cloth made in England, except he canner sell it to some English Merchant within eight daies after he hath brought it to Blackwell Hall, and unlesse the sale be made in any Fair, Foote, or Crafes, in which case the said Clothes shall be sold for ready money, or wares. EXP.
- Aliens.** 2 Under whose search and reformation Aliens resident in London, and two miles compasse, shall be. Their severall marches, their apprentices, and Journeyemen. AB. Aliens 2-4. 16. 15.
- Worsted.** 3 Worsted weavers of great Parmenth and Linne, may yearly chuse one household of either of the said Townes, to be Warden of the said Craft within the said Townes, for the yeare following. The Wardens oath and authority. The Warden made at Linne and Parmenth shall be tried, chosen, and haleden at parmenth, and before shall not be transported. AB. Worsted 1. 4. 7. 8. The Warden made at Linne may take for their apprentices. AB. Labourers 31.
- Customs.** 4 An English man (being subject to a foraine Prince, shall pay such customs and impositions as strangers doe. AB. Customs 14.
- Physicians.** 5 The Physicians in London made a booke copozat, of a President & six. Elects. Their privileges and authority. AB. Physicians 1. 3. 7.
- Ways in Kent.** 6 Any person may lay out a more convenient way, in, and over his own & simple land in the Countie of Kent, by the assent of two Justices of peace, and twelve discreet men; and in stead thereof retains the ground of the old way in fee simple to him and his heires: Which Justices and twelve men shall within thre monethes make certifficat of the same new way into the Chancery: A Justice, that he which hath a way through the same old way, may beite it. EP.
- Crossbows. Handgun.** 7 Any person that hath land or profits to the yearly value of a C. pound may shot in Crossbows, and Handguns, notwithstanding the Statute of 6.H.8.1. All former Priviledges granted by the king to that in, either of them shall be void. EP. 25.H.8.17.

8 The Clerk of the Chancery may take wages, and tithes their office of Sir Clerkes. AB. Clerke of the Chancerie 1.

by Clerkes of the Chancerie

9 A repeale of the Statute of 4. Ed. 4. 7. inhibiting Cobblers in London, and three miles compass, to pull on shoes or boots upon the legs or feet of any upon Sundayes, &c.

Shoemakers in London.

10 If any person shall trace, and kill any Hare in the snow, with any dog, bitch, or otherwise, he shall forfeit vs. viij. s. AL. 1. Jacob. 27. for the forsey.

Hares.

11 The Statute of 6. H. 8. 9. touching the spinning of clothes, shall not extend to vestes, other than called Set Clothes, of what colour soever they be, not being about the waite of xl. s. a Cloth, so that they lack in length & breadth when they be wet.

Set Clothes.

12 Coyners that shall coine and make money at any Mint within this Realme (Saying at York, Durhame, and Canteburie) shall coine part thereof into halfe Angels, Groates, Two pence, Pence, Halfe pence, and Farthings. &c.

Money.

13 The Stat. of 1. H. 7. 5. touching the repaire of Southhampton Haven made perpetual. &c.

Southhampton Haven.

14 They which are, or shall be in service with the King in his warres, may after their lawes for the performance of their Wills, without fines, and also may dispose of the Vicarships of the bodies and lands of their helles. &c.

Service in warre.

Statutes made at London 3. die Nouembris, Anno

21. H. 8. & An. Dom. 1529.

1 The King his Pardon established by authority of Parliament.

Pardon.

2 Every person calling Sanctuary for felonie or murder that ought to abide, after his conviction, and before his abication, shall be marked by the Co. some way the letter A. upon the buttocks of the right hand, with a hot yron, and then shall abiure. And if he refuse to take his passage at such row as the Co. shall appoint him, he shall take the benefit of Sanctuary, and be committed to prison. &c.

Sanctuarie. Abication.

3 The plaintiff in Walle may abate his plaint, of any part whereunto a Walle is plaintiff. AB. Abidgement &c. 1.

Plaint.

4 Who of the Executors which take upon them the charge of the Will, may sell the land devised by the Testator to be sold. AB. Executors 3.

Executors.

5 Within the Duchies and their officers that take for the Probate of Testaments, committing of Fornication, Incontinentie, Acquaintances, &c. AB. Probat &c. 1. &c.

Probate of Testaments.

6 For which persons Mortuaries shall be paid, and for which not, and in what places they shall be paid, and in what not, and how much. AB. Mortuaries 1. &c.

Mortuaries.

7 If any person (other than an apprentice) being of the age of xviij. yerres, shall go away with any money, goods, or chattels of his masters, to the value of xl. s. or above, it shall be felonie. AB. Stealing 1.

Servants.

8 No Butcher shall kill any sucking Calfe to be sold, which shall be calved between the first day of Januarie, and the first of May, upon paines of forfeiture of vs. s. viij. s. &c.

Calfes.

King Henrie the eight.

- Caps.** 9 Whosoever doth sel, or cause to be sold, any swollen cap made beyond the 3.H.8.19.
Hats. Sea, for above y.s. or any hat above y.s. or any single crowned hat, or single 1.M.11.
night-cap, above y.s. shall forfeit xl.s. *RP. 1. Jac. 25.*
- Wasse.** 10 Whosoever shall carie forth of this Realme any Wasse, Latten, or Cop- 33.H.8.7.
per, shall forfeit the same, or the value thereof. *RP. 1. Ed. 6. 37.*
- Restitution.** 11 Where shalbe restitution awarded of the stolen goods, after the attainder 1.
of the felon. *AB. Restitution 1.*
- Hempe.** 12 Hempe growing within five miles of Burport shalbe sold there. *Ca. 1. Jac. 14.*
Cables, Hadders, and Ladders of Hempe, shalbe made at Burport. *AB. Cables 1. 2.*
- Dispensation.** 13 No person shall procure dispensation at the Court of Rome, to be non- 25.H.8.11.
Spiritual persons. resident, or to take more benefices than one. *RP. 1. & 2. P. & M. 8.* Spiritual persons shall take no farms, but in certayne cases. They shall not have more benefices than one, without dispensation. They shall not be absent from their benefices, nor buy to sell againe, nor keepe any Tanhouse, or Byewhouse. *AB. 25.H.8.16. 33.H.8.22. Ecclesiastical &c. 14. &c.*
- Linnen cloth.** 14 If any person English or Alien, doe bring, or cause to be brought into this Realme, any Linnen cloth called Dowlas or Lockeram, unless the whole piece of Dowlas do containe in length fivescore elnes of Assise, accompting to euerie elne one yuch of assise, and in breadth one yard of assise, and euerie halfe piece fiftie elnes in length, and one yard in breadth. And euerie piece of Lockeram to be of like length &c. he shall forfeit the same. *RP. 28.H.8.4.*
- Fained recouerie.** 15 Tenant for yeares may falsifie a fained recouerie had against him in the reuerfion. And no Statute, or execution by Elegit, shalbe auoyded by such recouerie. *AB. Recoueries 8. 9. 6.Ed. 1. 11.*
- Aliens.** 16 Aliens bozne shall be contributoie to all charges and tares with the R. 14.H.8.2.
Subiects, Artificers. Their oath of obedience to the King and his Heires. A Denizen onely shall keepe house. They shall not assemble in companies, but in their Halls. They shall assist their Wardens to make search. *AB. Aliens 4. 7. 8. 9. 10.*
- Patents to Porke.** 17 A repeale of the Kings letters Patents granted Anno 15. of his raigne to the Graue and citizens of Porke, for the carrying to Hull, and transporting from thence to foereine parts, wools and fells growing or arising in some parts of Porkehire.
- Seaworthie.** 18 No person shall ship load, or unload, any goods to be sold, in, to, or from any ship, at any place within the riuer of Tyne, betwene the places called Sparhawke and Hedwinsternes, but onely at the towne of Newcastle. The Graue, Burgeses, and Communitie of Newcastle, and their successors, may plucke out of all weares, gozes, and engines, that shall be made in the Haven betwene the places aforesaid. *R.*
- Quowrie.** 19 An Actowrie shalbe made by the Lord upon the land, without naming his tenant. The Quowrant shall recover costs and damages against the plaintiff. *AB. Auowrie 1. &c.*
- President of the Councell.** 20 The President of the R. Councell shall be associat with the Chancelor, 3.H.7.1.
and Treasurer of England, and the keeper of the R. privie Seale, for the examination and punishment of Riots, &c. *AB. Courts 4.*
- Worsted weavers.** 21 The Stat. of 14.H.8.3. concerning Worsted weavers in Parmouth and Lyn, continued untill the end of the next Parliament. *AB. Worsted 1. &c. 14.H.8.16.*

Statutes made at the Selson of Parliament holden by pro-
rogation at Westminster 16. die Januarij, Anno 22.H.8. &
Anno Domini 1530.

- 4.Ed.4.4.
37.H.8.15. ¶ 1 The Stat. of 4.Hen.7.11. Touching the buying of Wools in roib. Wools.
Shires, remiued for tenn peares. And other Counties included therein, viz.
Bucking. Northamp. Leicest. Hunting. Warw. Lincol. Derby, Rutland,
Notting. and Yorke. Makers of Hayes, Woollsted, Stamines, Hats, and
Caps, shall haue like time for buying of Woll for those purposes, as makers
of Cloth, and Yarne. RP.
- 2 So much of the Statute of 4. H.8.2. as toucheth the triall, that he was 3 foraine
taken out of S. and w. in a foraine Countie, pleaded by a felon, made per- plea.
petuall. RP. 1.Jac.25.
- 3 A remedie for the obtayning of all lesles, scots, and taxes, with their Plunished
doubles, imposed for the recouerte, or defence of Plunished Marches. RP. March.
28.H.8.5. 4 The fees of Wardens, or other Officers, for the entrie of an Appren- Corporation.
tice, or free man, into their fellowship. AB. Corporations 4.
- 5 A remedie to repaire decayed Bridges in High wayes, as well where it Bridges,
is knowne, as where it is not knowne, who bee chargeable therewith. AB.
Bridges 1.&c. Iustices of Peace 70.
- 6 If any Butcher keepe a Lanhous, hee shall forfeit vi. s. viij. d. a day. Butcher.
RP. 5. Eliz.8.
- 7 Whosoeuer shall conuey any Horses, Geldings, Mares, Coltes, Dren, Transpoiting
Steres, Ryne, Calues, or Sheepe, into any parts beyond the Sea, (hauing Cattell.
to Calice) without the Kings licence, shall forfeit l.s. for every Poll. RP.
- 8 Aliens borne made Denizens, shall pay such Customes, as they did be Aliens made
foze. And the Officers of euerie Citie, Borough, or Towne, where any such Denizens.
Customes shall bee demanded, shall set by Tables of euery custome, toll, and
duetie. AB. Aliens 2. Corporations 6.
- 9 Whillfall poisoning shall be aduinged high Treason. And the Offender Poisoning.
being attainted thereof, shall be hanged to death. RP. 1.M.1. & 1.Ed.6.12.
- 10 If any calling themselves Egyptians doe come into this Realme, they Egyptians.
shall forfeit to the King all their goods and cattels. And being commaunded,
shall depart the Realme within 10. dayes, vpon paine of imprisonment. AL.
1.& 2.P.& M.4.
- 11 It shall bee Felonie to breake vp, or cut downe Wooddike in March Wooddike.
land in Northfolke: Or Old field dike by Marchland in the Isle of Ely. AB.
Iustices of Peace 17. Felonie 39.
- 12 The Just. of Peace of euerie Countie, diuiding themselves into seue- Poore,
rall limits, shall giue licence vnder their Seales, to such poore, aged and impo-
tent persons, to begge within a certaine precinct, as they shall thinke to haue
most nede: And if any doe beg without such Licence, or without his precinct,
he shall bee whipped, Or else shall be set in the Stocks thre daies and thre
nights with bread and water onely, at the Just. of Peace, or high Constables
discretion. And a Vagabond or vniuert person taken begging, shall be whip- Vagabonds.
ped, and then shall be sworn to returne to the place where hee was borne, or
last dwelt by the space of thre peares, and there to put himselfe to labour. RP.
14. Eliz.5. & 1.Ed.6.3.
- 13 No stranger being a common Baker, Brewer, Surgeon, or Scrine- Alien.
ner, shall be accompted a handicraftsman. AB. Aliens 13.
- 14 If an person doe resort to a halowed place for the safeguard of his life, Veneration.
by Sanctuarie,

King Henrie the eight.

- by occasion of any felonie committed by him, and confesse the same befoze the Tazoner, (foz) the which by the Lawes of this realme he should abiure, and passe out of the same) The same person shall abiure from all his Libertie, and free habitations, & passages, which pertain to subiects undesamed, and be directed by the Tazoner to any one Sanctuary which he will chose, there to remaine during his life. If a Sanctuary person do from thence without the kings licence, 32.H.8.12. or do commit felony, he shall lose the benefit thereof. None shall be taken out of Sanctuary, foz a felonie supposed to be committed by him, vntill he be examined by two of the Kings priue Councell, or iij. Just. of peace. EP. 1. Iacob.
- Foreign plea.** 25. Trial of foreign Pleas pleaded by any person arraigned foz felonie &c. AB. 32.H.8.3.
- Challenge.** Trial 3. There shall be no peremptorie challenge vpon arraignment foz petit Treason, Murder, or felony. AB. Challenge 11.
- Pardon.** 15 The Kings generall Pardon to his Spirituall subiects, Except &c. EXP.
- Pardon.** 16 The Kings generall Pardon to his Tempozall subiects, Except &c. EXP.

Statutes made at the Session of Parliament holden by pro- rogation at Westminster 15. die Januarij, Anno 23. Hen. 8. & Anno Domini 1531.

- Clergie.** ¶ 1 No person that shall be found guiltie of petit Treason, wilfull Mur- 4.H.4.3.
der, or foz Robbing &c. shall be allowed his Clergie, (except such as bee within 32.H.8.3.
holy Orders, viz. of Subdeacon, or above) No person within such orders of
Subdeacon, or above, found guiltie of any of the offences aforesaid, admitted
to his Clergie, and deliuered to the Ordinarie shall make purgation, or bee
set at libertie, but shall remaine in perpetuall Prison, vnder the keeping of
the same Ordinarie, and his successors, vntill he can find two sureties to be
bound befoze two Justices of Peace of that Countie with him in pt. li. foz his
good beaering. Euerie Ordinarie may disgrace any such conuict person, if
he see cause, and send him into the Kings bench with a Certificat, And then the
Justices there hauing the Record of his Conuiction, may giue iudgement of
death against him. AL. 28.H.8.1.
- Purgation.**
- Disgracing
a Clerke.**
- New Gaoles** 2 The most part of the Just. of Peace of euerie of the Counties of Essex,
Suffolke, Dorset, Wiltshire, Wurrey, Nottingham, Gloucester, Bedford, Buck.
Huntingt. Wiltsire, Kent, Warwick, Stafford, Wron, Berks, Leicester,
Rutland, Lincolne, Hertford, Northampt. Salop, Dorset, Coznelwall,
and Derby, shall haue authoritie within one yeare to appoint the Townes &
places, within the limits of their Commission, wherein they shall thinke ne-
cessarie to haue a common Gaole newly edified, at the charges of such of the
Inhabitants of the same Counties, as haue Lands, and tenements, rents, or 5.Eliz.24.
annuities to the yearely value of pt. s. or be worth pt. l. in goods, at the least. 23.Eliz.25.
- In which Gaoles all Murderers and felons shall be imprisoned, and not else-
where. And the Sherifes shall haue the keeping and charge of the same
Gaoles. EXP.
- Attaint.** 3 An Attaint maintainable in certaine cases: The number of the ground 13.Eliz.25.
Jurie therein: Their abilitie. Where it shall bee taken by default. What 11.H.7.21.
pleas the Defendant or petit Jurie shall plead. The punishment of the Petit 37.H.8.5.
Jurie attainted. Iudgement foz the plaintife. Iudgement foz the Defendant. 11.H.6.4.
AB. Attaint 1. &c.
- Beere.** 4 No Brewer shall be a Cowper. The prices of Ale & Beere. The contents 37.H.8.8.
of Ale & Beere vessels. AB. Brewer 1.2. Cowpers 2.3. The content of Schope 31.Elz.
vessels. AB. Sopc 1. The seuerall prices of Ale & Beere vessels. EP. 8.Eliz.9.
- Schope.** 5 Commissions of Beere shall bee graunted into all the parts of this 32. & 4.Ed.6.
Realme, &c.

Kealme, as need shall require. The Commissioners oath. Their authoritie, orders, ability, wages, and discharge. AB. Sewers 1. &c.

6 The forme of a Recognizance, of the nature, and force of a Statute Staple, Recognizance the Seales, Certificat, & execution thereof. AB. Statutes 5. &c.

16, H. 8. 10. 7 No man shall lay on land out of a Ship, any French wine, between the Feastes of S. Michaele, and the Purification, upon paine of forfeiture thereof. No person shall sell by retayle any French wines above viij. s. the gallon, viz. s. d. the pint. No any Palmesse, Sacke, Rounney, or other swete Wine above xij. the gallon. The prices of the Tunne, Butt, Pipe, and Hoghead of the sayde Wines, shall be assessed by the Kings great Officers. The contents & gauging of the said vessels. The Stat. of 5. R. 2. 3. 6. Rich. 2. 8. 4. H. 7. 10. & 1. R. 3. 13. confirmed. BP.

18, H. 8. 14. 8 A meane to maintaine the Hauens and Ports of Plimmouth, Dartmouth, and Teignmouth in the Countie of Deuon, and of Falmouth, and Folwey in Cornewall. AL. 17. H. 8. 23. AB. Hauens 4. 7.

9 No person shall bee cited to appeare out of the Diocesse where he dwelleth, but in certayne cases. The fees of a Citation. AB. Citation 1.

1. & 2. P. & M. 8. 1. Eliz. 1. 10 Assurances of Lands to the uses of Churches, Chappels, Guilds, Fra-ternities, in Fee, or for xx. yeares. Collateral assurances. Custome to denise in Mortmaine. AB. Mortmaine 6. 7. 8. 9.

11 If a Clerke commit beeing in the prison of any Ordinarie, wilfully breaks the same, and escape, it shall bee adjudged Felonie, without priuiledge of Clergie, or Sanctuary, vnlesse he be within holy Orders, viz. a Subdeacon, Deacon, or Priest. And it shall be at the Ordinaries libertie, to disgrace such offender, and to send him to the Kings Bench, where the Iustices hauing the Record of his conviction, may giue iudgement of death against him. BP. 1. Ed. 6. 12. for the Felonie.

12 The penaltie for hindering passengers upon the banke of the Riner of Seuerne, or for demanding of any Toll of them. AB. Boatmen 9.

13 Trial of felons in Corporat Townes may be by men worth xl. li. in goods. AB. Iurors 15.

14 What Proces shall be had in Trespas upon the Stat. of 5. R. 2. 7. writ of Annuitie, and Covenant. AB. Proces 3.

4. Jac. 3. 8. Eliz. 1. 15 The defendant shall recouer his costes in certayne Actions, if the plaintife be non-suit, or the verdict passe against him. But he that sueth in forma pauperis, shall be otherwise punished. AB. Damages 6. 7.

32. H. 8. 6. 1. Eliz. 7. 16 It shall be felony to sell, exchange, or deliuer within Scotland, or to the use of any Scottish man, a Horse, Gelding, or Pare. BP. 4. Jac. 1.

8. H. 6. 12. 13. Eliz. 25. 17 No Wooll shall be wound which is not sufficiently washed. Nothing shall be put in steere, to the deireit of the buyer. AB. Wools 8. 9.

18 Fishgarthes, Piles, and other engines, set in the riner of Duze and Humber, shall be pulled downe. There shall bee no vnlawfull fishing in the said Riner. AB. Hauens &c. 8. 9. 10.

19 The Kings free Pardon to all his Spirituall subiects within the Province of Yorke. Except &c. BP.

Statutes made at the Sessio[n] of Parliament holden by pro-rogation at Westminster 4. die Februarij, Anno 24. H. 8. &

Anno Domini 1533.

¶ 1 Tanned Leather shall not be sold but in open faires and Markets, Leather, not before the same be searched, and sealed. Who shall bee Searchers, and

L ij

and

King Henrie the eight.

and Dealers thereof. The Curriers duetie in carrying of Leather. *HP. 5. El. 8.*

Dying of
Cloth.

2 No person shall dye, or alter any wollen Cloth, or Hats, or Caps, except the same be perfectly boyled, grained, or maddered vpon the wood, and hotte with good Coke, or Dychall, after due and substantiall meane of workmanshippe. No Dyer shall occupie Wasell in the dying of Wollen Clothes, Hats, or Caps: No any thing but graine only in dying of Scarlet. *EXP. 23. Eliz. 9.*

The prices of
Weste, &c.

3 Euerie person which shall sell the carcasses of Beeses, Buttons, Worke, or Weale, shall sell the same by Haberdepoyes, and shall haue with him sufficient beame, scales, and weights scaled, called Haberdepoyes. No person shall take for a pound of Beefe, or Worke, above one halfe pennie. No for a pound of Button, or Weale, above ob. 4. But in such Counties and places where they be sold for lesse prices, they shall so continue. A Calfe above eight weekes old, shall be accounted Weste. *HP. 33. H. 8. 11.*

Sowing of
Wempe.

4 Euerie person hauing in his occupation 40. acres of arable Land, or pasture apt for Tillage, shall yearly till and sow in seasonable time one rode thereof with Linne seede, otherwise called Flaxe seede, or Wempe seede, or with both: And so one rode for euerie 40. acres, which he shal haue in his occupation, vpon paine to forfeit thre shillings foure pence for euerie fortye acres &c. But this shall not extend to ground not apt for Tillage: No to Land, or pasture, which hath not bene tilled 50. yeres before. An acre shall bee accounted 160. Perches, and euerie Perch 16. fote and demy. *HP. 35. Eliz. 7.*

Forfeiture.

5 There shall bee no forfeiture for killing of any person, which attempteth to robbe, or murder him. *AB. Forfeiture 1.*

Wines.

6 The penaltie for denying to sell Wines at the prices assessed by the Kings great Officers, according to the Stat. of 23. Hen. 8. 7. In what cases Iustices of Peace, Maiors, or other officers, may sell any other mans Wines. *AB. Wines 3. 4. 5. 37. Ed. 3. 23. 28. H. 8. 14.*

Calf.

7 Whosoener killeth, or causeth to be killed any Calf to bee sold, which is calued betwene the first day of Januarie and the first day of May, shall forfeit by s. viij. d. *EXP. 21. H. 8. 2.*

Costes.

8 There shall be no costes of suit awarded to the Defendant, where any Action is sued to the Kings vse. *AB. Damages 9.*

Waynlings.

9 Butchers shall kill no Waynlings, vnder two yeares old, to be sold. *AB. 1. Iacob. 25. Butchers 2.*

A Crow net.

10 In euerie Parish, Colone, and Hamlet, wherein there be ten householders inhabiting, there shall bee provided a Nette to take Crows, Rokes, and Choughes. And euerie Inhabitant shall doe his indouour to destroy them. The reward of him that killeth any of them. *EXP. 8. Eliz. 15.*

Paving of
Streets.

11 The Straete way betwene Strand crosse, and Charing crosse, shal be paved sufficiently with paving stone, at the charges of the Owners, in fee simple, fee taile, or for terme of life, of the Lands thereunto aduoyning. And whosoener is presented before the Iustices of the B. Bench to make default, shall forfeit to the King for euerie yard square sixe pence. The Iustices of the Kings Bench may inquire thereof euerie Terme, by the oth of xij. men, & make proces against the offenders. *6*

Appeales.

12 There shall be no Appeales to Rome for any cause whatsoeuer. Wherefore which Judges, and in what Courts all Appeales shall bee sued. *AB. 1. Eliz. 1. 25. H. 8. 19.*
Appeales 1. &c. Whosoener procureth from the See of Rome, or any other foraine

foresaid court any foreign Appellat, Process, Sentences, or shall incur the force of Provisions made in this behalf touching the penalties.

1. & 1. P. &
Ma. 1.

13 A Repeale of all former Stat. made against offence of Apprell. & that Apprell was a offence, & that the same was not to be taken, and that the penalties were not to be taken.

Apprell.

Statutes made at the Session of Parliament holden by pro- rogation at Westminster, 15 die Januarij, Anno 25. Hen. 8.

1 Concernors of Cities and Borough Towns, upon complaint to them made of any Butcher, refusing to sell vitaille by weight, according to the Sta. 14 H. 8. may commit the offender to ward, until he hath payed all penalties, And also may sell, or cause to be sold by weight all such vitaille for ready money, to be delivered to the owner. And if any Butcher, Farmer, Brewer, Draper, or refuse to sell his fat Cattle to a Butcher, upon such reasonable price, as he may retails if at the price allowed by the said Statute: The Just. of Peace, Mayors, or Concernors, shall cause indifferent neighbors to set the prices of the same. And if the owner refuse to accept the same, then shall they bind him to appeare, & answer the same the next Terme, before the H. Con- cell in the Starre chamber, there to make shew, and to be punished as they shall thinke good. In default whereof the King by proclamation may limit vi- taites to be sold without weight. 15. H. 8. 1.

Butchers.

Butchers.

2 The prices of Vitaites shall be allowed by the H. Concellors, and as- sizers, or by Concernors of Borough Towns; And they which have vitaites to sell, must sell them at the prices allowed: Vitaites shall not be transported without the Kings licence. 15. H. 8. 1.

Vitaites.

32. H. 8. 3.
1. Ed. 6. 12.
1. Ed. 6. 10.

3 He that is indicted of petit Treason, Murder, Burglarie, Robbery of houses, Robberie, or doeth any wilfully murther, or challenge peremptorie about xx. persons, or refuseth lawfull trial, or is indicted for any of the same offences in another Countie then where the offence was committed, shall not have the benefit of his Clergie. 15. H. 8. 1.

Clergie.

4 Only such persons as be Merchant adventurers to Island for Saltfish, Stockfish, Ling, Haberdine, or Lobster, or that be Duggermen, or such as be fishermen that actually labour for the taking of the said fish in the East Sea, or East Sea coast, shall buy any of the kinds of the same fish, at, or upon the Stone, or at the said East Sea side, or East Sea coast, to sell the same againe at any of the faires of Sturbridge, St. Ives, or Ely. And no person shall buy any of the foresaid kinds of fish, or any other sort of fish, in either of the foresaid faires, to be sold againe in the same faires, but to be eaten there, upon pain to forfeit all the said fish. But this Act shall not be prejudiciall to any person dwelling by the river of Ouse. 15. H. 8. 1.

Sea fish.

5 The Stat. of 1. H. 8. 4. prohibiting the sale calling of Wiltednes, made perpetuall. No person that dieth Wiltednes, or tamers, or says, shall callen- der them. 15. H. 8. 1.

Wiltednes.

1. Eliz. 17.
1. Ed. 6. 19.

6 The committing of Burglerie with mankind or beast, shall be Felonie. 15. H. 8. 1.

Burglerie.

7 Whosoever shall with any device take the fish of fides, called Celares, or ele-vares in any waters salt, or fresh, or that take or destroy by any engine in fludgate, Salmon pike, or at taylor of any spill, or weare; in any Rivers, streets, or bywokes salt or fresh, the young fish of any Salmon, Lampkins, Smolwes, or Salmon pike, or shall by any of the means aforesaid; kill or

Destroying of fish.

King Henrie the eight.

destroy any Salmons, not in season, called hipper Salmons, within any stretch, or salt places, where such Salmons have naturally their repaire, shall forfeit to the fish, and his assignfull engines. **RP.**

Parling of
Holbozne, &
Douthwarke.

8 The high Streets in Holbozne, betwene Holbozne bridge, & the Barres at the West end of the sayd Streets, shall be paved on both sides with paving stone, at the charges of the Tenants in fee simple, fee taylor, or fee life, of the Lands thereunto appoyning, their heires and successors. And if the Lessees do it, they may defaulte to much of their rent. The like order shall bee observed for the paving of the Streets in Douthwarke. And he that doth not from time to time maintaine the pavement sufficiently against his owne ground, shall forfeit to the king for everie yerd square not repaired by. **3. R.**

Lyne.
Pewters.

9 No person shall buy, or take by exchange any wares made out of this Realme of Lyne, or mixed with Lyne. No stranger bozne shall worke any vessel made of Pewter or Lyne within this Realme. No Pewterer shall exercise his trade in a feine Countrey. **AB. Pewters 1.** No Pewterer shall take a stranger bozne to be his Apprentice or Journeyman. **RP. 5. Eliz. 4.**

33.H.8.4.
19.H.7.5.
4.H.8.7.

Sewers.

10 Commissioners of Sewers shall be dwelling in the same County where they shall be appointed to. **RP. 10.** Which refuset to take the oath appointed for the Commissioners of Sewers. **AB. Sewers 9. 10.**

Wild-fowle.

11 Whosoever shall take any Wild-fowle with nets, or other engines, betwene the last day of May, & the last day of August, shall be one yere imprisoned, & forfeit. **4. H. 8.** But such as have a freehold may hunt, & take wild-fowle with spaniels. **RP. 3. Ed. 6. 7.** No person shall destroy, or convey away the eggs of any wild-fowle, from the nest. **AB. Wild-fowle 1.**

Elizabeth
Barton.

12 Elizabeth Barton of Bent, and others attainted of high Treason, for that under colour of Hypocricie, Revelations, and false miracles, practized by the sayd El. they conspired to impugn and slander the denaice betwene the **R. & D.** Katherine his first wife, and the last marriage betwene him and **Ann.** his second wife, to destroy the **R.** and to deprieve him of his Crowne. **RP.**

Sheepe.
Fermes.

13 No person shall have above two thousand Sheepe, but in certaine cases. **AB. Sheepe 3.** No person shall take above two Fermes. **AB. Fermes 2.**

4.H.7.16.

Heretikes.

14 A repeale of the Stat. of 2. H. 4. 15. Touching the punishment of Heretikes; Sherifes in their Turnes, and Stewarves in their Rates, Mares, and hundredages, shall have authoritie to inquire of Heretikes: And every presentment made in any Turne, Rate &c. concerning Heretikes, shall be certified to the Ordinarie. Every person presented or indicted of any Heresie, or duly accused by two lawfull witnesses, may be cited, arrested, or taken by any Ordinarie, or other of the **R.** subjects, and committed to the Ordinarie to answer in open Court, & being convicted shall abjure his heresies, & refusing so to doe, or falling into relaps shall be burned. No licence shall be obtained from the Pope to preach in this Realme. No speaking against the Pope, or his authoritie shall be accounted Heresie. Any person presented or indicted of Heresie may be let to baile by the Ordinarie, & if he refuse, by two Justices of Peace. **RP. 1. Ed. 6. 12.**

Wokes.

15 A repeale of so much of the Stat. of 1. R. 3. 19. as doth licence Strangers to bring into this Realme Wokes. No person shall bring into this Realme Wokes bound to sell againe: Neither shall buy of any stranger, Wokes brought from beyond the Sea, but in grosse. A remede where the prices of Wokes be unreasonably inhaunted. **AB. Bookes 1. 2. 3.**

Residence.

16 The Judges of the **R.** Bench, & Common Place, the Chancelloz, and chiefe Baron of the Exchequer, the **R.** Attourney, and Solicitor, may everie of them have one Chapleins, having one Benefice with cure of Soules, which

which need not be resident, notwithstanding the statute of 27. Hen. 8. 13. AB. Ecclesiasticall &c. 22.

17 Whosoever shall shote in any Handgun, or Crosbow, or keepe any in his house, shall forfeit 1. l. for euery offence, except he hath Lands, Annuities, or Offices to the yearly value of 10. l. 33. Hen. 8. 6. All former Blacards made to shote in either of them shalbe void. A repeale of all former Statutes touching shooting in either of them.

18 No person shall make, or cause to be made within the County of Wozcestre any Clothes to be sold, but in Wozcester, Cuesham, Droitwich, Reddymister, and Byamesgrane. AB. Draperie 78. Owners of Tenements there shall let them for no more rent, then they were let for 11. yeres befoze the making of this Act. CB. Clothes made there shall be searched and sealed. 11. Hen. 8. 6.

1. Eliz. 1. 19 The Clergie shall not enact, promulge, or execute any constitutions or Ordinances, without the Kings assent. AB. Conuocation 2. The King shall haue authoritie to assigne xxiij. persons of his Subjects, to examine the Canons, and Constitutions pprovinciall and sinodall befoze time made, & such of them as the King, and the xxij. or the moze part of them shall aduynge tooz this to be obeyed, shall be executed, and continued, and the residue shall be abrogated. But no Canons or Constitutions shall be put in execution, which be contrarie to the Kings prerogative, or the Lawes or Statutes of this Realme.

24. H. 8. 12. EXP. There shall be no appeales to Rome, but appeales shalbe from the Archbishops Court into the Chancerie. AB. Appeales 5. 7.

1. & 2. P. & M. 8. 1. Eliz. 1. 31. H. 8. 9. 20 There shall be no payment of Annates or first fruits to the Bishop of Rome, by any Archbish. or Bishops. Within what time a Bishop shall be chosen after the kings writ of Conge deslier shal be deliuered vnto the Deane and Chapter: And within what time he being chosen, shall be inuested and consecrated. AB. Bishops 1. 2. 3. 4.

1. Eliz. 1. 21 No imposition shalbe payed to the use of the Bishop of Rome, or his See. No person shal sue to the Bishop of Rome for any Licence, dispensation, or other instrument: But they shalbe graunted by the Archbish. of Canteburie, or his Deputie, or Commisarie, for any such causes, wherof they haue bin accustomed to be had in Rome. AB. Dispensation 1. &c. No person shall depart out of this realme, to or for any assembly for Religion. AB. Conuocation 3. The King by the aduice of his Councell may rathorne Indulgences. There shall be no visitation of any Monasterie, Colledge, Hospitall, or Religious place by the authority of the Bishop of Rome, but by Commission vnder the great seale. CB. Indulgences.

35. H. 8. 1. 22 The marriage solemnized betwene the King and the Ladie Katherine his wife, befoze wife to Prince Arthur his brother (being against the Lawes of God) shall be aduynge void, and the seperation thereof good. And euery licence, & dispensation, befoze made to the contrarie, shall be void. And the sayd Ladie Kath. shalbe called only Dowger to Prince Arthur, & not Quene. And the Patrimonie solemnized betwene the King and his wife Qu. Anne, shall be taken for perfect good, & consonant to the Law of God: And all the children begotten, & to be begotten betwene the King and Qu. Anne, shall be the kings lawfull children, & inheritable to the Crowne of this Realme. The Crowne of England &c. shall be to the King, & to the heires males by his bodie, or the bodie of Qu. Anne lawfully begotten &c. And for default of such heires males, then to the heires males by the bodie of the King lawfully begotten. And for default of such issue male, then to the Ladie Elizabeth, eldest issue female of the bodie of the said King and Qu. Anne begotten, and to the heires of her bodie. And for default of such issue, to the second heire female &c. And so from issue female, &c.

Handgun.
Crosbow.

Draperie.

The Clergie.

Annates.
Bishops.

Impositions
to Rome.
Dispensations.

Indulgences.

The Kings
marriages.

The Crowne
intailed.

King Henrie the eight.

to issue female, as the Crowne of England hath bene accustomed. And for default of such issue, to the right heires of the sayd King for ever. It shalbe high Treason to write, or doe any thing tending to the hurt of the Kings person, or to the dishonour of the Title of him, or his foresaid heires to the Crowne, or to the staining of his foresaid Mariage with Qu. Anne. And if any of the Kings subjects being commanded, shall refuse to take a corporall oath, firmly to observe the whole effect of this Act, then hee shall offend in Dispietion of Treason. No person shall marie within the degrees prohibited by Gods Law. 26.H.8.2.
31.H.8.38.

RP. 28.H.8.7. & 1.M.1.

Mariage.

Statutes made at the Session of Parliament holden by pro- rogation at Westminster 3. die Nouemb. Anno 26. H.8. & Anno Domini 1534.

The King
head of the
Church.

An oath to the
King and Qu.
Anne.

First fruits,
Tenth.

Perturie in
Wales.

Passages by
sea to Guerne.

Wales.

Wages in
Wales.

Wages.

Lyne.

1 The King, his heires, and successors, kings of this Reame, shalbe taken and reputed the onely supream head in earth of the Church of England, and shall haue as well the Title, and Title thereof, as all honours, authorities, and commodities to the same belonging: And shall haue power to redresse all Errors, Heresies, and abuses in the same. RP. 1. & 2.P. & M. 8.

2 The forme of the oath which the Lordes Spiritual and Temporal, and the Commons assembled in the last Session of Parliament did take, and all other the Kings subjects are, before certain Commissioners, to take, for their faith, and obedience to the King, and the heires of his body begotten of Qu. Anne his wife, according to the statute of 25.H.8.22.RP. 28.H.8.7. & 1.M.1.

3 The King shall haue the first fruits and Tenths of all promotions spiritual within his Dominions (certain except.) His remedies to recouer them: And the penalties for default of payment of them. AB. Ecclesiasticall &c. 24.25.28.29.

4 An Officer shall be appointed for the keeping of a Furie in Wales, and the penaltie of the Furores which upon trials there, doe commit perturie, AB. Wales 114.115.

5 No man hauing any passage upon Guerne shall transport any offender into, or forth of Wales, at whatsofull times. AB. Boatmen 12.

6 All persons resistant in Wales, or the Lordshippes Marches, shall upon warning appeare at Courts before the Justice, or other officers. A remedie where an officer there doth imprison any upon an untrue surmise. No weapons shall be brought to Courts, Fayres, or Churches there. No gathering of Commonthes, or procuring of Games there. No person shal cast any Arthell there. Inquirie in the Countie adioyning of offences committed within Lordshippes Marches. Procees awarded against offenders. To whom offenders shalbe committed. Where felonies committed in Perioneth shalbe determined. AB. Wales 101. &c.

7 The Statute made 14.H.8.6. touching altering of waies in the towne of Kent, shall take effect, and be put in execution in euery convenient place within the Countie of Sussex. R.

8 The owners of boyd grounds within the Citie of Norwich, shall redifie them, or inclose them with walles of moxter and stone, within two yeares after Proclamation: Or else the Mayor, Sherifes, Citizens, and Comminaltie of Norwich may doe it, and retaine it to them and their successors for ever, discharged of all rents, so as they redifie or inclose the same within two yeares, &c. R.

9 If the owners of decayed messuages in Linne, in the countie of Norfolk, shall

26.H.8.2.

31.H.8.38.

2. & 3.P. &
M.4.
1.Eliz.4.

4.H.4.37.

shall not redifie them, or inclose them with walls of moyter and stone against the rage of the Sea, within one yeare after Proclamation thereof made, by the sayd or of Linne: When it shall be lawfull to the chiefe Lords of whom the sayd messuages be holden, to enter upon them, and to retaine them, to them & their heires for ever: so that they repaire them within one yeare after: And if not, the the sayd and communalitie of Lynne may enter and enjoy them, to them and their successors for ever, without any rent paying therfore: so that they repaire them within two yeares after. And in default thereof the first owner may enter. R.

10 The King during his life by his Proclamations, to be contained in letters patents, under his great seal, and inrolled in the Chancery may repeale and at his pleasure againe revieve the Article of the Statute of 23. H. 8. touching laying on Land French Wines, betwene Michaelmas, and the Purification: and all other Statutes made since 21. of his raigne, concerning the carrying forth of the commodities of this Realme, or bringing in of foiein merchandizes. R.

11 Whosoever dwelling in Wales, or the Marches thereof, shall assault, beat, or hurt any person of the Countie of Gloucester, Salop, or Hereford, & shall be indicted, & convicted thereof, shall be one yeare imprisoned. R.

12 Those Clerkes convicted for robbrie, or other offences in Wales, which bee committed to the Ordinaries Prison, shall find sureties for their good behaviour, according to the Statute of 23. H. 8. before two Justices of Peace, (whereof one to be of the Quorum) of the Shire wherein the countie is kept in the Ordinaries prison: and if there be no Justices of peace in that shire where the Prison is, then in the next Countie. AL. 28. H. 8. 1.

13 It shall be high Treason to wish or desire by wordes, or writing, or to imagine, inment, or attempt any bodily harme to be done to the King, the Qu. or their heires apparent, or to deprive any of the of the dignitie, title, or name, of their royall estates, or to publish that the King is an Heretike, Schismaticke, Tyrant, Infidel, or Usurper, or to detain from the King any of his Castles, or Holdes, or any of his Shippes, or munitions of war. R. 1. M. 1. No offender in high Treason shall have the benefit of Sanctuary. Before whom Treasons committed out of the Realme shall be tried. Outlawrie of an offender in Treason being forth of the Realme. AB. Treasons 10. 11.

14 There shall be xxvj. cities, towne, and places, which shall be taken for Seas of the Suffragans of Bishops. Every Bishop willing to have a Suffragan shall elect and nominate to the King two men, who shall present one of them to the Archbishoppe, and he shall consecrate him. Suffragans shall have no commoditie, or authoritie within the Diocesa, but such as shall be assigned by the Bishop. CB. And his Residence over his Diocesa shall serve for the Residence upon his benefice. AB. Ecclesiasticall 22. A. Commendatarius shall not be in

15 What duties spirituall persons beneficed within the Archdiocess of Richmond in Yorkshire, shall take after the decease of any person. AB. Probatar &c. 14.

16 The Statute of 14. & 15. H. 8. 3. touching wasted townes of Par mouth & Lynne made perpetuall. AB. Wasted townes 1. &c.

17 No sermons of spirituall persons shall be compellen to pay for their lease for the first fruits or Tenths granted to the King, notwithstanding any bargain, contract, band, rentrie, &c. heretofore made. R.

18 The Kings general and free pardon continued by authority of Parliament: Except &c. R.

Stat. repealed by Proclamation.

Strikes by Welshmen.

Sureties by Clerks convicted.

Treasons.

Suffragans.

Archdeac. of Richmond.

Wasted townes.

Sermons of spirituall persons.

Pardon.

Statutes

2. Ed. 6. 12.
13. Eliz. 1.
14. Eliz. 1.
1. & 2. P. & M. 10.

5. Ed. 6. 17.
35. H. 8. 2.

1. & 2. P. & M. 8.
1. Eliz. 4.

31. H. 8. 5.

31. H. 8. 21.

1. Eliz. 4.

King Henrie the eight.

Statutes made at the Session of Parliament holden by pro-
rogation at Westminster, 4. die Februarij, Anno 27. Hen.8.
& Anno Domini 1535.

- Townes.** 1. ¶ A remedie for the repaire of decayed houses of grounds within the precinct of the Townes of Nottingham, Shrewsburie, Ludlowe, Gloucester, Wigmore, Winbozowe, and Rothampton. AB. Townes 8.
- Forging the R. Seale.** 2. It shall be high Treason, falsly to forge and counterfeit the Kings signe manuell, priuie signet, or priuie scale. HP. 1. M. 1.
- Kingston vpon Hull.** 3. The Mayor of Kingston vpon Hull, and his successors, and all officers within the same towne, shall suffer the inhabitants of Norfolk, and Suffolke, and of all places repairing thither with Alstall, betwene the Feastes of All Saints, and the Purification of our Ladie, freely to bring their herrings, and other fish to the said towne, and there to sell the same by water or land, by retails or in grosse, to whom, and when they will (within the said time) without any toll, custome, or other composition to be taken of the buyer or seller of the said fish, or of the Shippes, or vessels wherein the same shalbe brought, except of euery ship with herring or other fish bearing xx. Tunne or vnder v.s. And of euery vessel aboue, vj.s. viij.d. And the said Mayor, &c. shall fauourably intreate the said inhabitants repairing to the said towne with fish, without searching, or setting of vnlawfull prices, or without wilful delay of searching, or setting of prices. And if the Mayor or any officer in Hull, doth exact moze than is due, or doth offend in any point contrarie to this Statute: Then vpon complaint to the Kings Councell the Offender shall be adiudged by them or three of them (whereof the Lord Chancellor shalbe one) to paie to the King & partie grieved xx. l. No person shall sell fish in Hull by retails but free Burgeses of the same towne. AL. 33. H. 8. 33.
- Hull.** 4. The trial, order, and punishment of Pirates, or robbers on the Sea. 28. H. 8. 15.
- Pirates.** 5. The Lord Chancellor of England, or Lord Keeper, &c. shall haue authorite to appoint vnder the great seale, Iustices of peace, 3. of Quorum, and 3. of Oale delinerie, in the Countie of Chester, Flint, Anglesey, Cairnaruan, Merioneth, Merioneth, Blaenauthen, Denbroke, and Glamorgan, which shal haue power to inquire, heare, and determine, as other Iustices in England haue. Into what courts or places, the circuits, issues, fines and amerciaments forted becom the sayde Iustices shall be certified. AL. 34. H. 8. AB. Wales 30.
- Iustices in Wales.** 6. Owners, and Fermers of Parkes, shall keepe breeding Pares, which shall not be covered with hoxles of small stature, or value. AB. Horses 1. 2.
- Exactions in Wales.** 7. All vnlawfull customes for the taking of vnrasonable exactions in forrests in Wales shalbe determined. AB. Wales 11. 2.
- Deduction of the Tenth.** 8. The tenth of each spirituall promotion shalbe deducted to euery Ecclesiasticall person, the first yeare wherein he paith his first fruits. A remedie for the successor of an Incumbent which shall be charged to pay to the King any summe of money due for the Tenth, in the time of his predecessor. AB. Ecclesiasticall &c. 16. 1. Eliz. 4.
- Butchers.** 9. The Statute of 14. H. 3. 25. H. 8. 1. & 14. H. 8. 7. touching Butchers selling of flesh, &c. shalbe in suspence, and not put in execution during a certain time. HP.
- Wifes.** 10. Any persons shall be in lawfull possession and seisin of Landes, which haue the vse thereof. Land assured to the vse, that a Rent should bee payed out of the same. AB. Vses 1. &c. A woman shall not haue both Join.

Jointure and Dower out of the Husbands Lands: But if the Jointure be made after marriage, she may chose which she will take. AB. Dower 4. s. 6. Jointure. Dower.

11 The courtie and maner of suing forth, and proceeding, with those gifts, grants, and writings, which shall be made under the Kings signe manuell, and the sees of the Clerkes of the Signet, and priuie Seale. AB. Clerke of the Signet &c. 1. &c. Clerkes of the signet.

12 Euerie Clothier shall weaue his marke in each cloth and kerse made to be sold, and also shall set his seale of leas to euerie such Cloth, wherein shall be contayned the length thereof. When the Aulnager shall set his seale to Clothes. The breadth of euerie broad cloth and kerse. The buyer of any cloth so marked and sealed, shall not draw or stretch it, vpon paine of forfeiture of the double value thereof. EP. 3. Ed. 6. 6. Clothiers.

13 Of what value Cloth carried beyond the Sea may bee. AB. Draperie 98. Clothes.

14 Leather to be caried beyond the Sea shall be sold, and packed by a man thereunto sworn, and appointed by the Customers and Controulers of the Port of Hauen, where the same shalbe shipped. How much euerie teller shall haue for telling of a Dicker. A packe of Leather shall containe as many Dickers vnder by, as it shal please the owner. A stranger conueying Leather from one Port to an other, shall cause the same to be sold, and customed in the first Port, and a certificat to be made of the number and quantitie of the Dickers. Some hauing a Tanhouse shall transport Tanned Leather, vpon paine of forfeiture thereof, of the value. AL. 18. Eliz. 8. Leather.

15 The King shall haue authoritie to name xxiij. persons, viz. sixteene spiritual, and sixteene Temporal, to examine the Canons and Constitutions heretofore made according to the Statute of 25. H. 8. 19. EP. 1. & 2. P. & M. 9. Canons examined.

16 Inrolment of Bargaines and Sales of Lands, and the fees for Inrolments in the Countie. AB. Inrolment 1. &c. Inrolment.

17 A Seruant attainted for unbellying his Masters cashet, letwels, money, goods, or cattels to the value of xl. s. or above, shall lose the benefit of Clergie, and Sanctuarie, and be put in execution. EP. 1. M. 7. Seruant.

18 If any person do procure any thing to be done to the annoyauce of the Riuer of Thamise, by making of shelves, by myning, digging, casting of dung, or rubbish into the same Riuer: Or conuey away any boards, stakes, pillars, or Timber, wokes from the bankes or walles, except it be to repaire the same againe: Or doe dig or vndermine any bankes or walles on the waterside to the impairing of them, hee shall forfeit five pounds to the King and Mayor of London. Walasing of Whippes shalbe taken of grauell and sand of the shelves. RR. Annoyauce of Thamise.

19 Sanctuarie persons shall weare badges, but no weapons. They shall not goe abroad before Summe rising, nor after the setting thereof. They shall not resist their Gouvernors. Their Gouvernors shall determine contracts of Debt, Trespasses, and conenant betweene persons in Sanctuarie vnder xl. s. EP. 1. Jac. 25. Sanctuarie persons.

20 Tithes shall bee set forth or payed according to the custome of the Parish where they shall be due. The remedie to recouer Tithes withholden. AB. Tithes 20. 22. Tithes.

21 An order for the payment of Tithes, within the City, and Suburbes of London, according to a Proclamation before made. AL. 37. H. 8. 12. Tithes in London.

22 The King shall haue the moitie of the profit of those Landes already connected from Villages to Pasture, since three yeares before 4. Hen. 7. untill 4. H. 7. 19. 7. H. 8. 1. 5. Ed. 6. 5. Husbandrie.

King Henrie the eight.

- untill the owner hath builded up a convenient house to inhabite, and converted the same pasture to tillage againe: And also shall take the moitie of the issues of those lands hereafter to be converted, if the immediate Lord doe it not within one yeare. But this act extendeth onely to the Countie of Lincolne, Nottingham, Leicester, Warwick, Rutland, Southampton, Bedford, Buckingham, Oxford, Berks, the Isle of Wight, Worcester, Hertford, and Cambridges. *23. Eliz. 1.*
- Hauens.** 23 An alteration of the penalty, & of the persons to whom the moitie thereof is given, limited by the statute of 23. H. 8. 8. provided for the preservation of Ports and Hauens in Cornwall & Devonshire. *AB. Hauens 4. 7. &c.*
- The Prerogative.** 24 No person shall haue authoritie to pardon Treasons, Felonies, or outlawries, or to make Justices in Eyre, of Assise, of Peace, or Noble delinquerie, but the King. All writs and Indictments shall be made in his name. He shall haue all fines and forfeitures assessed upon any officers of Franchises, for not execution, or insufficient returnes of writs. The Kings preeminence in his Purueyors, Clerke of the Market, &c. Statutes provided for Sherifes shall extend to Bailifes of Liberties &c. *AB. Prerogative 17. 18. 19. 20. Franchises 1. &c. Purueyors 23.*
- Wage.** 25 All Governours of Cities, Shires, townes, hundreds, hamlets, and parishes, shall succour, kinde, and keepe, euerie aged, poore, and impotent person, which was bozne, or dwelt thre yeres within the same limits, by way of bounty and charitable Almes, in euerie of the same Cities, and Parishes &c. with such convenient Almes, as shall bee thought mete by their discretions, so as none of them shall be compelled to goe openly in begging: And also shall compel euerie sturdie Wagabond to be kept in continuall labour, in such sort, as he may get his lining by his owne labour. Children vnder xij. yeres of age, and aboue v. that live in idleness, and be taken begging, may be put to seruice by the Governours of cities, townes, &c. to husbandrie, or other crafts, or labours. A valiant Begger or sturdie Wagabond, shall at the first time be whipped, and sent to the place where hee was bozne, or last dwelt by the space of thre yeres, there to get his lining by his labour. And if he continue his roguish life, he shall haue the upper part of the gristle of his right Eare cut off. And if after that he be taken wandring in idleness, or doth not applie his labour, or is not in seruice with any master, he shall be aduindged and executed as a felon. No person shall make any common or open Dole, nor shall giue any money in Almes, but to the common bores, and common gatherings in euerie Parish, vpon paine to forfeit ten times so much as shall be giuen. There shall be no playing at vnlawfull games. *22. H. 8. 12. 39. El. 4.*
- Doles.**
- Games.**
- Wales.** 26 The Dominions of Wales shall bee incorporated, and annexed to the Realme of England: And the lawes and statutes of England shall be executed in Wales. Diuers Lordships Marches annexed to seuerall counties in England and Wales. *AB. Wales 1. &c.*
- Court of Augmentations.** 27 The court of Augmentations of the Reuenues of the Kings crowne, shall be a court of Record, and shall haue a great Seale, & priue Seale: of which Court shall be officers, The Chancelor, the Treasurer, the Atturney, the Solicitor, tenne Auditors, seuentene particuler Receiuers, a Clerke, an Alsher, and a Possenger. Their seuerall othes, and duties. All Monasteries and Religious houses, and Lands which haue come, or hereafter shall come into the Kings hands, and all Lands which he hath purchased, or hereafter shall purchase, shall bee within the suruey and gouernance of the sayde Court. *AL. 1. M. 10. A Tenure in Capite by Knights Service, and 37. H. 8. 14. 7. Ed. 6. 3.*
- grants

grants in fee simple made by the king of any of the said religious lands, under the great Seale of England. AB. Tenure 6.

Statutes made at the Parliament begun and holden

at Westminster 8 die of Junij, Anno 28. H. 8. & Anno Domini 1536.

- ¶ 1 The Statutes of 22. H. 8. 14. 23. H. 8. 1. & 25. H. 8. 3. & 6. continued untill the last day of the next parliament. Such as be within holy orders, shall be under the same paines and dangers for their offences, as other persons being not within holy orders. AB. Clergie 16. Clergie.
32. H. 8. 3. 2 The Stat. of 21. H. 8. 7. & 27. H. 8. 17. touching servants imberiling their masters goods, made perpetuall. BR. 1. E. 6. 12. Servants.
34. Eliz. 10. 3 Authoritie given to the king by writing under the Great Seale, newly to alote the towne in the shires and parishes of Wales, & to name the shire towne at any time within three yerres, notwithstanding the stat. of 27. H. 8. 26. made to that effect. BR. Wales.
- 4 A repeale of the statute of 21. H. 8. 14. touching the length and breadth of Dowlas and Lockrams to be brought into this realm. The contents of Dowlas and Lockram. AB. Lincolne &c. 1. Dowlas. Lockram.
32. H. 8. 4. 5 Apprentice or Journeyman shall be restrained by othe or bond to keepe house or shop. The fees for entrie of an apprentice & journeyman. AB. Corporations 3. 4. Apprentices. Journeyman.
- 6 The statute of 22. H. 8. 12. touching impotent beggers, and vagabonds, and of 22. H. 8. 7. concerning carrying of horses forth of this Realme, and of 26. H. 8. 11. touching Welshmen making assaults or affrayes upon &c. and of 25. H. 8. 6. against the vice of Buggerie, continued untill the last day of the next Parliament. BR. Statutes continued.
- 7 A repeale of the statute of 25. H. 8. 22. & 26. H. 8. 2. ordained for the establishment of the succession of the Crowne of England, and of an othe to be taken for the performance thereof. A pardon granted to all those which have spoken, done, practised, or attempted by words, writings, or exterior acts, any thing against the Marriage betwene the King and Quene Anne Boleyn his late wife, or for the setting forth of the divorce thereof: Or against the said Quene Anne or the Lady Elizabeth her Daughter, or to any of their haunders, perils, or dishonors: Or have wished, willed, desired, intended, or practised, any bodilie harms to the said Quene Anne, or Lady Elizabeth, or to deprive them, or either of them, of the dignitie, title, or name of their royall estates. The said Quene Anne Boleyn, and G. B. H. J. F. W. M. B. and P. D. her complices, attainted of high Treason: The marriage solemnized betwene the King and the Lady Katherine Princesse Dowager deceased, wife to Prince Arthure deceased, shall be avoyned void, and the separation thereof good: and the issue borne under the same marriage shall be illegitimate, and barred to claime any inheritance as lawfull heire to the King by lineall descent. And the marriage betwene the King and Quene Anne Boleyn (which was neuer good, nor consonant to the law, but utterly voyde and of none effect) shall be avoyned of no force, and the separation and divorce thereof by the Archbishops sentence shall be good. And all the children borne under the same marriage, shall be taken and reputed illegitimate, to all intents, and utterly excluded to challenge any inheritance as lawfull heire to the King. And if any person by writing, words, printing, or other exterior act, shall take, iudge, or beloued either of the said marriages solemnized betwene the King and the
3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100. 101. 102. 103. 104. 105. 106. 107. 108. 109. 110. 111. 112. 113. 114. 115. 116. 117. 118. 119. 120. 121. 122. 123. 124. 125. 126. 127. 128. 129. 130. 131. 132. 133. 134. 135. 136. 137. 138. 139. 140. 141. 142. 143. 144. 145. 146. 147. 148. 149. 150. 151. 152. 153. 154. 155. 156. 157. 158. 159. 160. 161. 162. 163. 164. 165. 166. 167. 168. 169. 170. 171. 172. 173. 174. 175. 176. 177. 178. 179. 180. 181. 182. 183. 184. 185. 186. 187. 188. 189. 190. 191. 192. 193. 194. 195. 196. 197. 198. 199. 200. 201. 202. 203. 204. 205. 206. 207. 208. 209. 210. 211. 212. 213. 214. 215. 216. 217. 218. 219. 220. 221. 222. 223. 224. 225. 226. 227. 228. 229. 230. 231. 232. 233. 234. 235. 236. 237. 238. 239. 240. 241. 242. 243. 244. 245. 246. 247. 248. 249. 250. 251. 252. 253. 254. 255. 256. 257. 258. 259. 260. 261. 262. 263. 264. 265. 266. 267. 268. 269. 270. 271. 272. 273. 274. 275. 276. 277. 278. 279. 280. 281. 282. 283. 284. 285. 286. 287. 288. 289. 290. 291. 292. 293. 294. 295. 296. 297. 298. 299. 300. 301. 302. 303. 304. 305. 306. 307. 308. 309. 310. 311. 312. 313. 314. 315. 316. 317. 318. 319. 320. 321. 322. 323. 324. 325. 326. 327. 328. 329. 330. 331. 332. 333. 334. 335. 336. 337. 338. 339. 340. 341. 342. 343. 344. 345. 346. 347. 348. 349. 350. 351. 352. 353. 354. 355. 356. 357. 358. 359. 360. 361. 362. 363. 364. 365. 366. 367. 368. 369. 370. 371. 372. 373. 374. 375. 376. 377. 378. 379. 380. 381. 382. 383. 384. 385. 386. 387. 388. 389. 390. 391. 392. 393. 394. 395. 396. 397. 398. 399. 400. 401. 402. 403. 404. 405. 406. 407. 408. 409. 410. 411. 412. 413. 414. 415. 416. 417. 418. 419. 420. 421. 422. 423. 424. 425. 426. 427. 428. 429. 430. 431. 432. 433. 434. 435. 436. 437. 438. 439. 440. 441. 442. 443. 444. 445. 446. 447. 448. 449. 450. 451. 452. 453. 454. 455. 456. 457. 458. 459. 460. 461. 462. 463. 464. 465. 466. 467. 468. 469. 470. 471. 472. 473. 474. 475. 476. 477. 478. 479. 480. 481. 482. 483. 484. 485. 486. 487. 488. 489. 490. 491. 492. 493. 494. 495. 496. 497. 498. 499. 500. 501. 502. 503. 504. 505. 506. 507. 508. 509. 510. 511. 512. 513. 514. 515. 516. 517. 518. 519. 520. 521. 522. 523. 524. 525. 526. 527. 528. 529. 530. 531. 532. 533. 534. 535. 536. 537. 538. 539. 540. 541. 542. 543. 544. 545. 546. 547. 548. 549. 550. 551. 552. 553. 554. 555. 556. 557. 558. 559. 560. 561. 562. 563. 564. 565. 566. 567. 568. 569. 570. 571. 572. 573. 574. 575. 576. 577. 578. 579. 580. 581. 582. 583. 584. 585. 586. 587. 588. 589. 590. 591. 592. 593. 594. 595. 596. 597. 598. 599. 600. 601. 602. 603. 604. 605. 606. 607. 608. 609. 610. 611. 612. 613. 614. 615. 616. 617. 618. 619. 620. 621. 622. 623. 624. 625. 626. 627. 628. 629. 630. 631. 632. 633. 634. 635. 636. 637. 638. 639. 640. 641. 642. 643. 644. 645. 646. 647. 648. 649. 650. 651. 652. 653. 654. 655. 656. 657. 658. 659. 660. 661. 662. 663. 664. 665. 666. 667. 668. 669. 670. 671. 672. 673. 674. 675. 676. 677. 678. 679. 680. 681. 682. 683. 684. 685. 686. 687. 688. 689. 690. 691. 692. 693. 694. 695. 696. 697. 698. 699. 700. 701. 702. 703. 704. 705. 706. 707. 708. 709. 710. 711. 712. 713. 714. 715. 716. 717. 718. 719. 720. 721. 722. 723. 724. 725. 726. 727. 728. 729. 730. 731. 732. 733. 734. 735. 736. 737. 738. 739. 740. 741. 742. 743. 744. 745. 746. 747. 748. 749. 750. 751. 752. 753. 754. 755. 756. 757. 758. 759. 760. 761. 762. 763. 764. 765. 766. 767. 768. 769. 770. 771. 772. 773. 774. 775. 776. 777. 778. 779. 780. 781. 782. 783. 784. 785. 786. 787. 788. 789. 790. 791. 792. 793. 794. 795. 796. 797. 798. 799. 800. 801. 802. 803. 804. 805. 806. 807. 808. 809. 810. 811. 812. 813. 814. 815. 816. 817. 818. 819. 820. 821. 822. 823. 824. 825. 826. 827. 828. 829. 830. 831. 832. 833. 834. 835. 836. 837. 838. 839. 840. 841. 842. 843. 844. 845. 846. 847. 848. 849. 850. 851. 852. 853. 854. 855. 856. 857. 858. 859. 860. 861. 862. 863. 864. 865. 866. 867. 868. 869. 870. 871. 872. 873. 874. 875. 876. 877. 878. 879. 880. 881. 882. 883. 884. 885. 886. 887. 888. 889. 890. 891. 892. 893. 894. 895. 896. 897. 898. 899. 900. 901. 902. 903. 904. 905. 906. 907. 908. 909. 910. 911. 912. 913. 914. 915. 916. 917. 918. 919. 920. 921. 922. 923. 924. 925. 926. 927. 928. 929. 930. 931. 932. 933. 934. 935. 936. 937. 938. 939. 940. 941. 942. 943. 944. 945. 946. 947. 948. 949. 950. 951. 952. 953. 954. 955. 956. 957. 958. 959. 960. 961. 962. 963. 964. 965. 966. 967. 968. 969. 970. 971. 972. 973. 974. 975. 976. 977. 978. 979. 980. 981. 982. 983. 984. 985. 986. 987. 988. 989. 990. 991. 992. 993. 994. 995. 996. 997. 998. 999. 1000.

King Henry the eight.

The Crowne
cruited.

In othe.

Continuance
of Statutes.

Continuance
of Statutes.

Bishop of
Rome.

The fruits of
a benefice.

Lease of a
benefice.

Palace at
Westminster.

Residence.

Wines.

foresaid Lady Katherine, or Lady Anne, to be good or lawful: Whom shall take, accept, name, or call any of the children borne under either of the said marriages, to be legitimate, and the Kings lawful children, then he shall be adjudged a high traitor. The Crowne of England shall be to the King, and the first son begotten betwixt him and Quene Jane his wife, and to the heires of the body of the said first sonne lawfully begotten, &c. And if Quene Jane die without issue male, then to the sonne and heire male of the Kings bodie lawfully begotten by any other wife. And for default of such heires, to the issue female of the Kings bodie lawfully begotten, viz. to the eldest issue female &c. And for default of all such heires, then to such person or persons in possession and remainder, as the King by his letters patents under the great Seale, or by his last will in writing, signed with his hand, shall assigne, and limit the same. Every person upon the Kings commandement, shall take an othe for the performance of this Act, and of all things that shall be done by the King, and by the authoritie thereof. And he that refuseth to take the said othe, shall be adjudged a traitor. And in case any other othe hath bene made by any person, he shall repete the same as vaine and aduillate. No person shall marie within the degrees prohibited by the lawes of God. AL. 35. H. 8. 1. EP. 1. M. 1.

1. & 2. P. &
M. 8.

8 The Stat. of 21. H. 8. 10. & 21. H. 8. 12. & 23. H. 8. 17. & 24. H. 8. 9. continued to the last day of the next Parliament. EP.

9 The Stat. of 23. H. 8. 3. & 23. H. 8. 2. & 25. H. 8. 9. & 24. H. 8. 4. continued to the last day of the next Parliament. EP.

10 If any person shall extoll, or defend the authoritie of the Bishop of Rome or of his See, heretofore used within this realme, he shall incur the penalties provided by the Stat. of 30. Henric, made An. 16. R. 2. Every Ecclesiasticall and lay officer, before he take upon him the execution of his office, shall be sworn to renounce the said Bishop, & his authoritie, & to resist it to his power, & to repete any former othe by him taken, in maintenance of the said bishop or his authoritie to be void. And the refusing of the said oth being tendered, shall be adjudged high treason. EP. 1. & 2. P. & M. 8.

1. EL. 1
13. EL. 2.

11 The fruits taken during the vacation of a benefice, shall be restored to the next Incumbent, whose charge to the King for first fruits, and benefit of lying, shall begin from the first vacation. AB. Ecclesiasticall &c. 24. 30. If a spiritual man that doth demise his benefice to a lay person by writing, shall surrender the same, the lessee shall enjoy his lease for vi. yerres, if the lessee doe so long time: But if the lessee die, then for one yere only, and yet the successor shall have the house, and glebe land not sowed, upon a monthes warning. AL. 1. & 2. P. & M. 17. An Incumbent may bequeath the crosse of his glebe being sowed. AB. Wiles 11.

1. EL. 4.

12 The limits and bounds of the Kings new place at Westminster, which shall have within the precincts thereof, such privileges, prerogatives, and immunities, as to the Kings ancient palaces have heretofore of right belonged. EP.

13 Which spiritual persons may be discharged of residence upon their benefices, and for what causes. AB. Ecclesiasticall &c. 22. 21. H. 8. 13.

14 The prices of the butte, tunne, and pipe, &c. of wines to be sold in grosse, shall be assessed by the L. Chancellor, Treasurer, &c. Each vessel of wine shall be gauged, and what shall be the contents thereof. AB. Wines 1. 2. 13. 14. No person shall sell Gascolgne, Cuiam, or French wine, above viij. s. the gallon, i. s. the pint, &c. upon paine to forfeit for every pint sold above, iij. s. &c. No alemeates, Kermies, Macks, or other sweet wines, shall be sold by retails above viij. s. the gallon, upon paine to forfeit iij. s. iij. s. for every gallon sold above. S. 7. Ed. 6. 5. & 5. Eliz. 5. & 1. Jacob 25. & Q.

27. Ed. 3. 8.
18. H. 6. 17.
1. R. 3. 13.

27.H.8.4.

15 The triall, ording, and punishment of pirats and robbers on the Sea.

Pirets,

AB. Pirats 1.

1. & 2 P. &

M. P.

1. Eliz. 1.

16 All Bulls, Breues, faculties, and dispensations, heretofore obtained of the bishop of Rome, or any of his predecessors, to any subject of this realme, shall be void, and shall neuer be pleaded, or allowed in any place of Court of this Realme. But if it shall appeare to such persons as the King shall appoint, that the effect of the said Bulls, &c. or any part thereof may be graunted by the Archbishop of Canturburie: Then vpon suite made by any of the Kings Subjects, he shall haue the effect thereof graunted vnder the great Seale of England, paying for the Seale thereof xx. s. iij. d. for the writing iij. s. iij. d. and for the examination iij. s. iij. d. And euery such licence, confirmation, writing, &c. shall be good and effectual to the parties suing for the same, and shall be allowed in all Courts and places of this Realme.

Folles from Rome.

17 If the Crowne of this Realme after the Kings death shall descend or come to any person being within the age of twentie foure yeres, and any Act of Parliament shall be made before such person shall be of the full age of twentie foure yeres, then such person being possessed of the Crowne, shall haue authoritie after his said age of twentie foure yeres, by his Letters Patents, vnder the great Seale, to repeale all and euery such Acts. R. 1. Edw. 6. 11.

Statutes in the Kings intitlie.

18 Whosoever shall marie any of the kings children, being lawfully born, or otherwise commonly taken for his children, or any of the kings sisters, or aunts of the part of the father, or any the lawfull children of the kings brethren or sisters, or contract mariage with any of them, without the kings licence vnder the great Seale: or defile, or deflower any of them, not being married, he shall be adiudged a traitor. R. 1. Ed. 6. 12. 1. M. 1.

Mariage in the Kings blood.

Statutes made at the Parliament begun and holden

at Westminster 28. die Aprilis, Anno 31. H. 8.

Anno Domini 1539.

31.H.8.32.

¶ 1 Joindenants, and tenants in common of any estate of inheritance are compellable to make partition by writ. And euery of them shal haue aide of other. AB. Partition 2. 3.

Partition.

2 All fishing with nets, hookes, or baits, in euery severall pond, strewe, or mote, with intent to steale the fish, from the houre of six in the euen tide, vntill six in the morning: and the vnlawfull breaking of the head of any severall pond, strewe, or mote, by day or night, without colour of title, whereby any fish shall be taken or destroyed against the owners will, shall be felonie. R. 1. Ed. 6. 12. And he that fisheth in any pond &c. at any other time then is aforesaid, shall be thre monethes imprisoned, and then finde suertie for his good behaving, or else remains in prison vntill &c. AL. 1. Eliz. 1.

Unlawfull fishing.

3 All the Mannors, Lands, Tenements, and Hereditaments, lying within the countie of Kent, of which Thomas Lord Cromwell, Thomas Lord Burgh, &c. viz. 34. persons, be sold to their owne uses in fee simple, or fee tail, being of the nature of Gavelkind, and which heretofore haue bene impartible betwene heires males, shall hereafter be changed from the same custom, tenure, and nature, and shall descend and come according to the common law. R.

Gavelkinde in Kent.

4 It shalbe lawfull to the Mayor, Bailiffes, and commonalties of the citie of

The river of Exeter.

King Henry the eight.

Peter and their successors, to plucke downe, meine, bryake, banke, and cast by all weares, rockes, sands, grauels, and other lets in the riuer of Ore, and in all other places and grounds conuenient, and necessarie for the same, whose soeuer they be, betwixt the said Citie and the high sea, and to doe and make all other things requisite, whereby Shippes, Boates, and vessels may haue their sure course and recourse in the said riuer, to and from the said citie, the said Spai, and Bailies, &c. making recompence to the owners and farmers of the soile to whom such digging shall be: for the which recompence the said owners or farmers graued shall haue an action of debt against the said Spai, &c. R.

Hampton Court.

5 The Spai of Hampton Court, with diuers Lordships, lands and tenements thereunto united, shall be called the honour of Hampton Court. And the king shall haue therein a chase, and free chase, and warrene for all beastes of venerie, and fowles of warrene, which shall be named Hampton Court Chase. And all offenders in the same chase shall incur such penalties, as the like offenders do in any other forest or chase. And the said Honour and chase of Hampton Court, and all the manors and lands within the same, shall be in the suruey and gouernance of the Court of Augmentations. R.

Religious persons.

6 Religious persons professed, shall be enabled to inherite, purchase, sue, and to be sued. AB. Abilitie 3. But they shall be excluded from marriage. 5. Ed. 6. 12.

Statutes continued.

7 Certaine Statutes made Ann 21. 22. 23. 24. 25. 26. 27. H. 8. continued untill the last day of the next Parliament. R.

Proclamations as a Statute.

8 The King for the time being, with the aduice of his Councel, or the more part of them, may set forth Proclamations vnder such penalties and paines, as to him and them shall seeme necessarie, which shall be observed as though they were made by Act of Parliament. But this shall not be prejudiciall to any persons inheritances, offices, liberties, goods, cattels, or life. And who soeuer shall wilfully offend any article contained in the said Proclamation, shall pay such forfeitures, or be so long time imprisoned, as shall be expressed in the said Proclamation. And if any offending will depart the Realme, to the intent he will not answer his said offence, he shall be adiudged a Traytor. R. 1. Ed. 6. 12. 34. H. 8. 13.

Bishops and their Deas.

9 The King shall haue authoritie from time to time, to nominate by his letters patents, such number of Bishops, such number of cities Deas for Bishops, Cathedrall Churches, and Diocesses, by metes and bounds, for the exercise of their Episcopall offices as shall appertaine: and to endow them with such possessions as he shall thinke conuenient, and to make Translations, Ordinances, and Statutes concerning them. R. 1. & 2. Phil. & Ma. 8. 25. H. 8. 10. 8. Eliz. 1.

Places in Parliament.

10 An order how all the Lords Spirituall and Tempo; all shall be placed in the Parliament house, at arraignmentes, in the Star Chamber, and other assemblies and conferences of counsell. viz. First T. L. Cromwell the Kings Vicegerent in Ecclesiasticall iurisdiction, shall sit on the right side of the Parliament chamber. And then next him the Archbishop of Canteburie, &c. 20. R. London, Duresme, Winchester, &c. R.

Townes in Wales.

11 The authoritie given to the King by the Statute of 28. H. 8. 3. to allot the townes in the counties and Marches of Wales, continued for thre yeres more. R.

The kings Wabbes.

12 If any person shall vnlawfully take, or cause to be taken any eggs of any falkon, Goshawks, Laner, or Lanerret, or the birdes of any of them out of the nest &c. within any of the Kings lands: or shall finde and take

11.H.7.17.

take by any Hawkon, Gersawkon, Jerkin, or Sacet, or Saceret, Goshatok, Lanor, or Lameret of the Kings, and having on it the Kings armes and beruiles, and doe not within twelue dayes bring or send the same to the Paister of the Kings Hawkes, or to one of his Hawkoners, or to the Sherife of the same shire: Or betwene the rising of the Sunne and the setting of the same, with his face hid or covered with hood, or visor, or painted, or disguised, to the intent he would not be knowne, shall enter into any Forest, Chase, or Parke of the Kings, Duchies, Princes, or any of the Kings children, or into any other ground of either of theirs, inclosed with wall, or pale, or bairnes for the keeping of Dère, to the intent to steal any of them, and by stealth take any of them, or buye any of them forth of the same Forest &c. Or at any time of the day with his face hid or disguised, kill any Conies, or Rabbits within any ground being the lawfull Warreine of the King, Duches, Prince, &c. Or within any of his or their Parkes: Or shall in the night betwene the Sunne going downe & rising, enter into any Parke, Chase, Forest, &c. of the Kings, Duchies, or Princes, &c. to the intent to steal any Dère: Or into his or their Warreine to kill and steal any Conies, he shall be adjudged a felon.

Hunting in the Kings Parkes.

3.Ed.6.17.

HE.1.Ed.6.12.1.M.1.

13 The King shall haue to him his heyres and successors for ever, all the Monasteries, and other religious and Ecclesiastical houses and places, which be heretofore, or hereafter shall be surrendered, dissolved, relinquished, or seized, or by any meanes come to his hands: And all their Sites, Circuits, Pannors, Lands, Tenements, and Hereditaments. Leases of Abbey lands not usually let, Leases in Reuerſion, and Leases not referuing the olde Rent, or Woodſales made within a yeare before the dissolution, shall be void. Assurances of Abbey lands without the Kings licence: Leases allowed and inrolled in the Court of Augmentations. All Abbey lands shall be within the survey and government of the Court of Augmentations. AB. Monasteries 7. &c.

Monasteries.

35.H.8.7.

14 (1) If any person by word, writing, printing, ciphering, or any other wise, doe preach, teach, dispute, or hold opinion, that in the blessed Sacrament of the Altar, under forme of bread and wine (after the consecration thereof) there is not present really the naturall bodie and blood of our Saviour Iesus Christ, conceived of the Virgine Marie: Or that after the said consecration there remaineth any substance of Bread or wine, or any other substance, but the substance of Christ, God and man: Or that in the flesh under forme of Bread, is not the verie blood of Christ: Or that with the blood under the forme of Wine, is not the verie flesh of Christ, as well apart, as though they were both together: Or affirme the said Sacrament to be of other substance then is aforesaid: Or deny the said blessed Sacrament: then he shall be adjudged an heretick, and suffer death by burning, and shall forfeit to the King all his lands, tenements, hereditaments, goods, and cattells, as in case of High Treason. (2) And if any person preach in any Sermon, or collation openly made, or teach in any common ſchole, or congregation, or obstinately affirme or deny, that the Communion of the blessed Sacrament in both kinds is necessarie for the health of our Soule, or ought, or should be ministered in both kinds: Or that it is necessarie to be received by any person (other then by Priests being at ſonne, and consecrating the same.) (3) Or that any man after the manner of Popes had received may marrie, or contract matrimonie. (4) Or that any man or woman which aduisedly hath vowed or professed, or should vow or profess

The six articles.

or is

chastitie

King Henry the eight.

chastite, or widowhood may marrie, or contract marriage. (5) Whiche that priest or other person be not lawfull, or not laudable, or should not be used, or be not agreeable to the lawes of God. (6) Whiche that auricular confession is not expedient and necessarie to be used in the Church of God, he shall be absolved, suffer death, and forfeit lands and goods as a felon. If any priest, or other man or woman, which advisedly hath advised chastite, or widowhood, doe actually marrie, or contract matrimonie with an other: Whiche any man which is, or hath bene a priest, do carnally use any woman, to whom he is, or hath bene married, or with whom he hath contracted matrimonie, or openly be conversant or familiar with any such woman, both the man and the woman shalbe adjudged felons. Commissions shall be awarded to the bishop of the Diocese, his Chauncelar, Commissaries, and others, to inquire of the heresies, felonies, and offences aforesaid. *RP. 1.E.6.12.*

Statutes made at the Parliament begun and holden at Westminster 28. die Aprilis, Anno 32. H.8. & Anno Domini 1540.

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|--------------------------|---|----------------------------|
| wills. | 1 In what cases any person may dispose and devise by his last will in writing, or by any lawfull Act executed in his life time, all his lands, and in what, but part thereof. And in what cases the King and other Lords shal have their wardships, primer seisin, reliefs, fines to; alienation, &c. <i>AB. Wills 1. &c. Wards 25.</i> | 34.H.8.5. |
| Limitation. | 2 A limitation of prescription, and within what time any person shall bring his writ of Right, Possessorie action, Auowrie, Formedon, Scire facias, &c. <i>AB. Limitation 1.</i> | 1.M.1. |
| Burned in the hand. | 3 The Statute of 22. H.8. 14. 23. H.8. 1. 25. H.8. 3. & 28. H.8. 1. made perpetual. Those persons being within holy orders, which by the law may have their clergy to; felonie, shall be burned in the hand, as lay persons ought to be. <i>AB. Clergie 16.</i> | |
| Treason. | 4 Where Treasons shall be tried that be committed in Wales, or the Marches thereof, or where the Kings writ runneth not. <i>AB. Treason 12.</i> | 1. & 2. P. & M. 10. |
| Receptant. | 5 A remedie to; the cognise, or obligé, where lands delivered unto him in execution be recovered from him. <i>AB. Execution 3.</i> | |
| Wardens Court. | 6 The Wardens of the East and West, & middle Marches toward Scotland, in their Warden courts, may heare & determine all felonious acts committed, contrarie to the Statute of 23. H.8. 16. touching selling of horses into Scotland. <i>RP. 4. l. 1.</i> | 1. El. 7. |
| Tithes. | 7 Tithes shall be paid according to the customs of the parish where they be due. A remedie to; him from whom they be detained. His penaltie which refuseth to pay after sentence given. Recoverie and conveyance of tithes in a temporal court. Costs awarded upon an Appeal. <i>AB. Tithes 20. 21. 22. 23. 24.</i> | 27. H.8. 10. 2. Ed. 6. 12. |
| Felonies.
Partridges. | 8 Whosoever shall sell or buy anyasant or partridge, (saving the officers of the Kings, Nobles, or Princes houses) shall forfeit to; everyasant by s. iii. s. and to; every partridge by s. iij. s. <i>AL. 1. l. 1. 27.</i> | 7. l. 1. 11. |
| Maintenance | 9 No person shall sell or buy any right, or title, or maintaine, or procure maintenance in any suit. <i>AB. Maintenance 4. 7. 8. 9.</i> | |
| Incontinency | 10 A repeal of the punishment by death, of priests, & of women offending by incontinencie with them, limited by the Stat. of 31. H.8. 14. A priest offending by | |

by incontinencie, shall the first time forfeit to the King all his goods, chattels, debts, and all his spirituall promotions, saving one. And being the second time convicted, he shall forfeit all his goods, chattels, debts, and the issues and profits of all his Lands, Benefices, and promotions. And being the third time convicted, shall forfeit all his Goods, Debts, Lands, Benefices, &c. and be imprisoned during his life. And the woman being sole and unmarried, with whom he shall offend, shall the first time she is convicted, forfeit all her goods, chattels, and debts: The second time the moitie of the issues and profits of all her lands during her life: And the third time the whole issues and profits of all her lands &c. and shall be imprisoned during her life. *RP. 1. Edw. 6. 12.*

11.H.7.17. 11 It shall be felonie to take, or cause to be taken, the Egge or Egges of Hawkes, any Faulcon, Goshaweke, or Lizard, or their Birds out of their nestes: Or with byzards or painted faces, or otherwise disguised, to the intent he would not be knowne to steale Diers or Conies in the day time in a lawfull Parke or Warren: Or steale the Diers or Conies in the night there. *RP. 1. Ed. 6. 12.*

33.H.8.15. 12 All Sanctuaries, and places privileged, which have bene used for Sanctuarie, shall be utterly extinguished, except Parish Churches, and their Churchyards, Cathedrall Churches, Hospitals and Churches Collegiat, and all Chappels dedicated, used as Parish Churches, and the Sanctuaries to every of them belonging, and Tithes in the Countie of Somerset, Westminster, Manchester, Southampton, Norwich, York, Darby, and Launceston. None of the said places shall give immunitie or defence to any person which shall commit wilfull Murder, Rape, Burglarie, Robberie in the high way, or in any house, or in any Church or Chappell, or which shall burne wilfully any House or Barne with Coyne. He that taketh Sanctuarie in any Church, Churchyard, &c. may remaine there forty daies, as hath bene used, unless the Coroner repaire to him to take his Abiuration. In which case he shall abjure to any of the foresaid privileged places, not being full of the number appointed to them, viz. above twentieth persons, there to remaine during his life. If a privileged person, daily called to appeare before the Governour, shall make default three daies: or if he commit any felonie, he shall lose the benefit of Sanctuarie. A privileged person abjuring to any of the foresaid places, shall be conducted from Constable to Constable directly, untill he be brought to the Governour of the said privileged place: And if that place be full of his number, then he shall be conducted to the next privileged place, and so to the next &c. untill. *RP. 1. Lac. 25.*

8.Eliz.8. 13 Of what height horses shalbe to which feed upon the common. A horse not of lawful height shalbe seised and measured. There shall be verely dyfts of Forests, Chases, Commons &c. How infected horses and unlawfull Littes shalbe used. *AB. Horses 3. &c.*

1.El.13. 14 A confirmation of the Stat. of 5.R.2.3.6.R.2.8.4.H.7.10.& 23.H.8.7. Touching freighting in English ships onely. A rate what shall be paid for the freight or portage of severall sorts of Merchandises, to and from the Port of London to other places in other Provinces. *CB.*

15 In all Commissions to be granted to the Bishop of the Diocese, his Chaunceller, and Commissaries, concerning Christian Religion, according to the Statute of 21.H.8. 14. Where shall be byrned with them the Archdeacons and their Officials: All which shalbe named in the said Commissions by their names of Dignitie, and not by their Christian names and surnames. *RP. 1. Edw. 6. 12.*

Hawkes.
Diers.
Conies.

Abiuration.
Sanctuarie.

Archdeacons
Officials.

King Henry the eight.

- Aliens.** 16 All Aliens shall be bound by and unto all the Lawes and Statutes of this Realme. No houses or shoppes shall be let to Aliens, not being Denizens. How many Aliens any person may kepe in his house. AB. Aliens 13.14.15. 1.R.1.9.7
14.H.8.1.
21.H.8.16
- Paving in London.** 17 The Street leading from Algate within London, to White Chappell Parish without the same Gate, Chauncerie Lane, the way leading from the Barres in Holborne Westward toward St. Giles in the field, Doyes Inne Lane, Shoe Lane, and Fetter Lane, shall be paved with paving stone by such as have any lands adjoining thereunto, to the middle of the said causeyes and lanes in length, as his or their Lands and Tenements doe lie, or extend: And shall be so: ever yearly maintained by them, their heires, assignes, or successors: upon paine to forfeit so: every yard not sufficiently paved, vs. 6. And the Inhabitants may defaulte so much of the Lords rent, as they shall dispend therein. R.
- Townes decayed.** 18 19 A remedy for the repaire of decayed houses within the Cities and Townes of Poike, Lincolne, Buckingham, &c. AB. Townes 7. 37.H.8.1.
- Franchises of Abbeyes.** 20 The same franchises and tempozall immunities that the late owners of those religious Houses, Monasteries, Lands, &c. which were assured to the King by former Statutes, had and exercised within thys moneths befoze their dissolutions, shalbe re-minued, and be really and actually in the King, his heires, & successors, and shalbe in the survey and gouernance of the Court of Augmentations. And those Abbey lands which be come to the King by attainder of Treason, shalbe in the order and gouernance of the Kings generall successours, & the same franchises shall continue. The Scites, Circuits, Monasteries, Lands, Hereditaments, franchises, & Liberties of the late Monasteries of Furnes, Cartemele, Coninghed, Burrough, and Holland, shall be within the survey and gouernance of the Chaunceloz and Officers of the Duchie of Lancaster. Fines may be leuied to the King, Deeds to be inrolled, may be acknowledged to him, and obligations may be made to him in the Court of Augmentations. AL.1.M.10.
- Court of augment.** 21 Where shalbe foure daies of retorne in Trinitie Terme, and not above. That daies shall be given in real actions, dower, &c. AB. Daies 1.&c. 31.H.3.12
- Doyes in Banke.** 22 If a Bishop or any of his deputies will take his oath upon his account, that he cannot leuie the tenth of any spirituall living, he shall be thereof discharged. AB. Ecclesiasticall &c 29. An order how the King shall be answered of the Tenth of any spirituall promotion, omitted in the former certificat of Benefices. 1.E.4.
26.H.8.3.
- Tenth decayed.** 23 A confirmation of a Subsidie of liij.s. in the pound to be paid in 2. yerres, granted to the King by the Clergie of the Province of Canterbury, and of such summes of money, which after shall be granted to him by the Clergie of the Province of Poike. R.
- Subsidie.** 24 The Copporation of the Religion of St. Johns of Hierusalem in England and Ireland shall be dissolved, &c. AB. Monasteries 31. And all the Monasteries, lands, &c. of the same, shall be in the survey and gouernance of the Court of Augmentations. AL.1.M.10.
- St. Johns of Hierusalem.** 25 The Marriage solemnized betwene the King and the Ladie Anne of Cleues, by the iudgment of the Clergie of England in their Conuocation, is adiudged and pronounced to be void, and is, and shall be reputed to be void. And the king shall be at libertie to marry any other woman, and she any other man. It shal be high Treason by wyting, word, or deed, to accept, take, forge, or beleeue the said Marriage to be good, or to procure, or doe any thing to the repeale of this Act. R.

- 26 All Determinations, Decrees, and ordinances, which according to Gods Word and Christs Gospel, by the R. aduice, and confirmation by his Letters Patents, shal be made and ordained by the Archbishops, Bishops and Doctors, appointed or to be appointed in & upon the matters of Christian Religion, and Christian Faith, and the lawfull Rites, Ceremonies, & Observations of the same, shal be in euery point thereof beloued, obeyed, and performed, to all intents & purposes, upon the paines therein comprised. Provided, that nothing shalbe ordeined, or defined, which shalbe repugnant to the lawes and Statutes of this Realme. *RP.* Ecclesiastic decrees.
- 27 A Resumption of certayne extraordinary Graunts and Licences made by the King of Absences, and Remissions in Calice, and in the Parches of the same, and in Berwick, and of Shriftworthes for life in Wales. *RP.* Resumption.
- 28 Which Leases made by tenants in fee simple, tenants in taile, men seised of lands in the right of their wives, or Churches, be god, and which void. *AB. Leases 1. 2. 3.* The Husband only act of the wives land, shal not preiudice her or her heires. *AB. Women 5.* Leases. Husband. Wife.
- 29 All Peases, Lands, Tenements, and Hereditaments, being Guildable, lying in Shwelbecke Soke, in the Countie of Nottingham, heretofore partable betwene heires males, shal hereafter descend, reuert, remaine, abide, come, and be inheritable, according to the common Lawes of this Realme. *RP.* Shwelbecke Soke.
- 30 After an Issue tried, there shalbe iudgement, notwithstanding any Jeofaile, or mispleading. *AB. Jeofaile 1.* When an Atturney shal enter his warrant in Court. *AB. Atturney 13.* Jeofaile. Atturney.
- 31 A Recourie by assent of the parties had against tenant for terme of life, shalbe void. *RP. 14. Eliz. 8.* Recourie.
- 32 Jointenants and Tenants in common for lines or yerres, shal be compellable to make partition. *AB. Partition 4. 5.* Partition.
- 33 A disseisor dying seised, taketh away no title of entry from the disseisee or his heires. *AB. Entry 1.* Entry.
- 34 Granties of Recoursions may take aduantage of Conditions and Covenants against the Lessees of the same lands. And Lessees may haue like remedy against the granties, which they might haue had against their grauntoys. *AB. Condition 1. 2.* Condition. Covenant.
- 35 Euery Iustice of the Kings Forests, Chases, and Parks may make as many deputies as he will. *AB. Forests 8.* Deputies Justices.
- 36 A fine leuied by tenant in taile, shal be a barre to the heire of his bodie. *11. H. 7. 20.* A fine leuied by the wife of the inheritance of her deceased husband: or by him which is restrained by Parliament: or of lands, whereof the King is in reuerfon, doth not binde. *AB. Fines 17. 18. 19. 20.* Fines.
- 37 A remedie for Executors to recouer Rents due to their Testators. The husbands remedie to recouer rent due in the life of his deceased wife. By what meanes a Rent may be recouered, the estate whereof depended vpon the life of a deceased person. *AB. Rents 1. &c.* Rents.
- 38 What Mariages be lawfull, and betwene which persons, and which not. *AB. Matrimonic 1.* What Mariage is indissoluble, which is contracted and solemnized in the face of the Church, and consummate with bodily knowledge, or fruit of child, notwithstanding any Precontract of Matrimonic. *RP. 2. Ed. 6. 23.* Mariage. Precontract.
- 39 Charles Duke of Suffolke, and euery other, which hereafter shal be the great Master of the R. house, shal haue all authorities that the Lord Steward of the R. house had. *RP. r. M. 4.* Grand Master of the R. house.

King Henry the eight.

- Phisitions.** 40 Phisitions in London shal be discharged to beare certaine offices there. Four Phisitions shal be elected to search Apothecaries wares in London. 1.M.9.
The forfeiture of such as being elected, refuse to be sworne, or make search.
- Surgeons.** AB. Phisitions 5. 8. 9. Phisitions of London may practise Surgerie. AB. Surgeons 2.
- Inholders.** 41 Which Inholders may make Horse-bread within their houses, notwithstanding the Statute of 13. Rich. 2. 8. & 4. H. 4. 25. AB. Inholders 2.
- Surgeons, Barberes.** 42 Surgeons and Barberes in London made one Companie, their Authority, and Liberties. No Surgeon shal vse Barberie, nor Barber Surgerie. 5.H.8.6.
AB. Surgeons 3. & c.
- Chester.** 43 Sessions shal be kept in the Countie of Chester twice in the yere only. 33.H.8.13.
AB. Chester 1.
- Roiston Church.** 44 The Towne of Roiston being before in five Parishes, shal be reduced into one Parish, which shal haue the Priorie Church to their Parish Church, and be called the Parish Church of S. John Baptist in Roiston. And there shal be a Vicar, alwayes to be presented by the King, his Heires, and Successors: which Vicar may sue and be sued, and purchase lands &c. to him and his successors. And the Parish Church and Towne of Roiston shal be in the Dioces of London. R.
- Court of first fruits.** 45 There shal be erected a Court of Record, to be commonly called the Court of first fruites and Tenthes, for the leuying and gouernment of the first fruites and Tenthes, graunted to the King by the Statute of 26. H. 8. 3. which shal haue a Seale: the Officers whereof, shal be the Chauncelour, the Treasurer, the Kings Attourney, two Auditoys, a Clerke, a Messenger, an Usher, with their seuerall oathes, charge, and duties. AL. 1. Ma. 10. 7.Ed.6.1. 1.El.4.
- Court of Wards.** 46 There shal be a Court of Record erected, called the Court of the Kings Wards, which shal haue a Seale: the Officers whereof, shal be a Master, an Attourney, a generall Receiver, two Auditoys, two Clerkes, a Messenger, and an Usher: their seuerall Oathes, Charges, and Authorities. AB. Wards 27. 28. 33.H.8.12. 33.H.8.39.
- Bishop of Norwich.** 47 The Bishop of Norwich and his successors, and in the time of vacation, the Deane and Chapter of Norwich, shal collect the Tenth of all promotions spirituall within the said Dioces, graunted to the King by the Statute of 26. H. 8. 3. And thereof shal account yerely before the Barons of the Exchequer, and shal haue like allowance and discharge, as other Bishops and Collectors of Tenthes haue. AB. Ecclesiasticall &c. 28. By a Statute not printed, made Anno 27. H. 8. The Bishop of Norwich and his successors were discharged of the collection of the said Tenth. 1.El.4.
- Tenths.**
- Douer rents.** 48 The owners of Lands holden of the Castle of Douer, which are bound by their tenures to pay their Rents at the said Castle, upon great penalties, called Surfises, shal hereafter pay the same Rents to the King in the Exchequer, in the day of Simon and Jude, or within fiftene dayes after: and he that maketh default at that time, shal pay double the rent. But he that is bound to build or repaire there, shal doe it accordingly. During the time that the King shal haue any lands in his hands for Wardship, or Primer Seisin, no Rent shal be paid for Castle Ward to Douer. One hundred and threescore pounds shal be quarterly payed euerie yere to the Constable of the Castle of Douer, at the doze of the common Hall in the Citie of Canterbury, by the Kings generall Receiver, to discharge Officers and Souldiours. The Constable of the Castle of Douer shal suruey and controll the Mayers and chiefe
- Constable of Douer Castle**

cheife Officers of the Castles, Block-houses, and Bulwarkes in Kent, and
Sussex, and all the Officers, Souldiers, and Munitions there. R.

49 A Confirmation of the Kings generall and free Pardon, of all Heresies, Pardon.
Treasons, Felonies, Robberies, Offences &c. Except &c. R.

Statutes made at the Parliament begun at Westminster

19 die Januarij, Anno 33. H. 8. & Anno

Domini 1541.

¶ 1 The punishment of him which doth get into his hands any money or Counterfeit.
goods of another persons, vnder the colour of a false token or counterfeit letter.
AB. Counterfeit 1.

24. Eliz. 7.

2 Whosoever shall buy any fresh fish (except Sturgeon, Porpues, and Fish.
Sole) of any stranger in the parts of Flanders, Zealand, Picardy, or France,
or vpon the sea, betwene shoare and shoare, or in any place beyond the sea, to
put to sale to any person within this Realme, shall forfeit for every time tenne
pounds. But this shall not extend to any person which shall buy fish in any
parts of Ireland, Scotland, Denemey, Shetland, Ireland, or Berwland. R.

3 Welch Clothes, called whites, Kussets, and Kennets, shall be folded, Cloth.
in in Plaites or Cuttels. AB. Draperie 63.

4 The Statute of 4. H. 8. 7. & 25. H. 8. 9. concerning Detourers, made Detourers.
perpetuall. The penaltie for withstanding, or letting of searching, or seising of
wares made of Linne out of this Realme. AB. Pewter 6. 7. 8. 9.

5 How many stoned trotting Horses for the saddle; every person shall be Stoned hors-
bound to keep, in respect of his degree, living, wiues apperrell, or for any other
cause. AB. Horses 10. 11. 12.

2. Ed. 6. 14.

6 A repeal of the stat. of 25. H. 8. 17. & of all other statutes made to restrain Gunnes.
the shooting in Crosbowes and Handgunnes. Who may kepe or shot in a
Gunne or Crosbow, and who not. Of what length his Gunne shalbe: in what
place, and at what marke he may shot. AB. Gunnes &c. 1. &c. A Prouis for
the licencing of the inhabitants within xij. miles of the borders of Scotland to
kepe Gunnes, Crosbowes, &c. R. 4. lac. 1.

2. Ed. 6. 37.

21. H. 8. 10.

5. Eliz. 16.

1. Jac. 12.

7 No person shal conuey any Blasse, Copper, Latten, Bell Mettall &c. out Bells.
of the Kings Dominions &c. AB. Brasse 1. &c.

8 It shall be felonie to practise, or cause to be practised Coniuration, witch, Coniuration,
craft, Enchantment, or Sorcery to get money, or to consume any person in his
body, members, or goods: or to prouoke any person to vnlawfull loue: or for the
despight of Christ, or lucre of money, to pull downe any Crosse, or to declare Crosse.
where goods sholde be. R. 1. Ed. 6. 12.

3. H. 8. 3.

9 Artillery shall be maintained. AB. Archerie 1. &c. And vnlawfull Plaies Archerie,
& Games shall be debarred. AB. Plaies 1. &c. All former stat. made against vn-
lawfull games, and for the maintenance of Artillerie, repealed. Plaies.

10 All I. of B. within euerie Countie, City, Borough, or place within the Sixe weekes
the dominions, shal yerely at the general Sessions, holden next after Easter, Sessions.
diuide themselves, and limiting two at the least into Hundreds, wapentakes,
number of Townes &c. They shall hold one Session for the limits of their divi-
sion, before the Sessions, six weekes before the Sessions, wherein they
shall enquire of vagabonds, Retainers, giuing of Lineries, Badges, Mainte-
nance, Embrocacie, &c. & heare and determine the same, according to the stat.
for such offences provided. And they may reforme Panels returned before
them. R. 37. H. 8. 7. for the six weekes Sessions: and confirmed for the enqui-
ries of the same offenders at the Sessions. AB. Iustices of Peace 20.

King Henry the eight.

- Butchers.** 11 A Repeale of the Statute of 24.H.8.3.&25.H.8.1. limited Butchers to sell flesh by weight, and at certaine prices.
- Bloudshed within the Kings house.** 12 The trial and punishment of Treasons, Conspiracyes of Treasons, Murders, Manslaughters, and other malicious strikinges, whereof bloud shall be shed in the Kings house, or where he shall abide. AB. Fighting 1. Trial 4.5.6. And the view and inquisition of the aforesaid offences, shall be taken by the Coroner of the K. house. AB. Coroners 18.
- Chester. Wales.** 13 When and where the Shire Court, and the Sessions for the Countie of Chester shall be kept. AB. Chester 1. Countie 2. Certaine Lordships in Wales removed from the Countie of Denbigh to the Countie of Flint. AB. Wales 98. 32.H.8.49.
- Prophecies.** 14 It shalbe felonie to print, writ, speake, sing, or declare to another, of the King, or any other person, any false prophecie, upon occasion of any armes, fields, beasts, fowles, or such like things, accustomed in Armes, Cognisances, or Badges, or by reason of letters of the name of the King, or any other. HP. 1. Edw 6.12. 5.Eliz. 15. 3.Ed.6.15.
- Sanctuarie.** 15 A Repeale of so much of the statute of 32.H.8.12. as doth assigne the Towne of Wanchester to be a place of Sanctuarie. But in the steade thereof the Citie of Westchester in the Countie of Chester shall be a place of Sanctuarie. HP. 1. Jac. 25.
- Yarne.** 16 Who may buy Wollsted Yarne spun in Norwich, or Norfolk, and who not. So Wollsted yarne shall be transported. AB. Yarne 1.2. 1.Ed.6.6. 5.Ed.6.7.
- Hempe. Flaxe.** 17 Certaine statutes continued untill the last day of the next Parliament. HP. Hempe or Flaxe shall not be watered in any running streame, but on the ground. AB. Hempe 1.
- Kersie.** 18 So much of the statute of 27.H.8.12. as concerneth the breadth of Kersie, repealed: and the residue confirmed. HP. 5. Ed.6.6.
- Cloth.** 19 Of what value Wollen Cloth, white, or coloured, carried over the sea, may be. AB. Draperie 98. 27.H.8.13. 7.Ed.6.3.
- Treason by Lunaticke.** 20 If any person shall commit high Treason when he is of perfect memorie, and after accusation, examination, and confession thereof before any of the Kings Councill, shall fall into Lunacie: he shall be inquired of in any Countie, where the King by his Commission shall assigne. And if he be there indicted, he shall be there arraigned without his personall presence. And if he be found guilty, he shall suffer death, and forfeit, as if he had bene of perfect memory. HP. 1. & 2. Phil. & Ma. 10. Attainder of Treason by the Common Law, shall be of as great force, as if it were done by Parliament. AB. Treason 14.
- M. Katherine Howard.** 21 Quene Katherine Howard attainted of high treason for her incontinent life, & J. K. S. C. & F. D. her complices. It shalbe lawfull for any of the K. Subjects, if themselves perfectly know, or by vehement presumption do perceiue any will, act, or conditio[n] of lightnesse of body in her, which shal be the Quene of this realm, to disclose the same to the K. or some of his counsell. But they shal not openly blow it abroad, or whisper it, until it be divulged by the king, or his Councell. If the king or any of his successors shall marry a woman which was before incontinent, if she conceale the same, it shalbe high Treason. And it shall be Conspiracy of Treason in any other knowing it, and not revealing it to the King, or any one of his Councell before the said marriage or within twentie dayes after. If the Quene, or wife of the Prince, shall by Writing, Message, Words, Tokens, or otherwise move any others to have carnall knowledge with them: or any others shall move either of them to that end, then in the offence it shall be abridged high Treason. HP. 1. Edw. 6.12.
- The

- The kings assent under the great Seale, notified in the Parliament house, shall be of as great force as if he were present. AB. Parliament 10.
- 33.H.8.46. 22 The Office of the Master of the Liveries, annexed to the Kings Court of Wardes. And the Master of the Wardes shall be the chiefe Officer thereof, and the Surueys; the second. And there shall be a Clerke of the Liveries. What their authoritie shall be. In what cases a generall, and in what a speciall Livery shall be sued. AB. Wardes 27. Liveries 4. 5. 6. 7. Offices &c. 3. 4. 6.
- 23 In certaine cases there shall be triall of Treasons, misprision of Treasons, and Murders, in any Countie where the King by Commission will appoint. AB. Treason 9. This Stat. touching the triall of Murder doth continue, but for Treason is repealed by 1. & 2. P. & M. 10.
- 24 No man shall be Justice of Assise in the Countie where he was borne, or doth dwell. AB. Justice of Assise 5. No Clerke of Assise shall be of counsel with any person in that circuit. AB. Clerke of Assise 1.
- 25 The children of Thomas Points, William Castelin, and John Dims mocke, borne beyond the Sea, shall be reputed the Kings naturall Subjects, and enabled to enjoy land by descent, or purchase, to sue, and to be sued. R.
- 26 A Repeale of certaine fraudulent deeds, estates, will, and contrivances, made by Sir John Shelton, of lands in Suffolke and Suffolke, to defeat the King and others of Wardship, Primer seisin, Reliefe, &c. And he adjudged to dye seised of such estate in those lands, as he was before the same estates made. R.
- 27 In Corporations none shall have a negative voyce. AB. Corporations 5.
- 28 The Chancelor of the Duchie of Lancaster, the Chancelor of the Augmentations, the Chancelor of the first fruits and Tenths, the Master of the Wardes, everie of the generall Surueys, the Treasurer of the Kings Chamber, the Treasurer of the Augmentations, & the Groom of the Kings Stole, may remaine in everie of their house, or attendant upon his person, one Chapleine, having one benefice with cure of soule, which may be absent from his said benefice. AB. Ecclesiasticall &c. 22. 23.
- 29 Religious persons which were in houses of Religion that were removed from one Corporation to another, and not dissolved, shall be in the same case to inherit, purchase, sue, and to be sued, as other Religious persons are enabled to be by the Stat. of 31. H. 8. 6. AB. Abillie 3.
- 30 All Leases, Graunts, and other Writings to be made by the Bishop of Conentre and Lichfield for the time being, in writing under his Seale, of any his Lands, Offices, Fees, &c. and confirmed by the Deane and Chapter of Lichfield in writing, under their Chapter Seale; shall be good in Law, to bind in succession the successors of the said Bishop. And the Deane and Chapter of Lichfield shall be for ever the entire and sole Chapter of the said Bishopricke of Conentre and Lichfield: whereof the Prior and Convent of the dissolved Priory of Conentre were heretofore the moitie or halfe part. R.
- 31 The Bishopricke and Diocesse of Chester, and the Bishopricke and Diocesse of Man, in the Isle of Man, and the Archdeaconrie of Richmond, shall be annexed to the Bishopricke of Chester: And all the people in the same Diocesses shall bee united to the Province and Archbishopricke of Yorke, and shall bee dissevered from the Archbishopricke of Cantuarie. R.

The Kings assent

Liveries.

Triall of Treason.

Just. of Assise
Clerk of Assise.

Free Wents
sons.

Sir John
Shelton.

Corporations

Residence.

Religious
persons.

Bishop of Conentre,
&c.

Bishop of
Chester.

King Henrie the eight.

- Whitegate.** 32 The Church of White-gate in the Countie of Chester, shall bee a Parish Church of it selfe, and no part of the Parish of Duer. There shall bee a Vicar there to be named by the King, &c. which shall haue perpetuall succession: and bee called Vicar of the Parish Church of our blessed Ladie the Virgine, of White-gate: And by that name shall sue and bee sued. R.
- Kingston bp: on Hull.** 33 A Repeale of the Statute of 27. H. 8. 3. concerning exactions taken by the Maior of Kingston upon Hull. But it shall be lawfull for the Maior there, and his Officers, to take of all Fishermen for euerie Last of Herring of euerie person priuiledged twentie pence, and for euerie hundred of Salt fish foure pence, and for euerie Last of Sprats eight pence: and of euerie person not priuiledged, for euerie Last of Herrings two shillings foure pence, and for euerie hundred of Salt fish foure pence, and for euerie Last of Sprats eight pence, as they did before the said Statute. R.
- Kings Linne.** 34 A Reuocation of two faires, or Markets, which the King by his Letters Patents, dated 7. die Martij, Anno 29. of his Maieste, graunted vnto the Maior and Burgeses of Kings Linne, in the Countie of Norfolke.
- Gloucester.** 35 The Maior of the Citie of Gloucester, and the Deane of the Cathedral Church there, and their successors, may conuey water in pipes of Lead, gutters, and trenches, from Watelones hill, otherwile called Robinhods hill: and from time to time repaire them, satisfying the owners of the ground there, for the digging thereof. R.
- Townes de: cayed.** 36 A provision for the repaire of desolat and void grounds which had been builded in Canteburie, Buckingham, and certaine other great Townes. AB. Townes 1.2.3.4.
- The Honour of Ampthyll.** 37 All Mannors, Parkes, Messuages, Lands, Tenements, Sites of Monasteries, and other Hereditaments of the Kings, lying in the Townes and Parishes of Ampthyll, Wilbroke, Fleetwicke, Malden, &c. shall be perpetually annexed to the Mannor of Ampthyll, and be taken as parcell of the same Mannor. And the same Mannor, with the other Mannors, Lands, &c. shall be called the Honour of Ampthyll. R. Which Honour shall be within the order & suruey of the Court of Augmentations. AL. 1. M. 10. touching the order of the Court.
- The Honour of Grafton.** 38 The Kings Mannors of Wimblesey, and Alfoxs Holue, and his Forests of Wimblesey, and Salucey, and his Chales of Pardley, & Wilsdon: And all his Mannors, Parkes, Sites of Monasteries, Lands, Tenements, and Hereditaments, lying within the Townes, Hamlets, and Parishes of Grafton, Hartwell, Ashton, Rod, &c. shall be annexed to the Mannor of Grafton. And the same Mannor, and other the premisses, shall be called perpetually the Honour of Grafton. R. And shall bee in the order and suruey of the Court of Augmentations: Saving so much thereof as is within the Duchie of Lancaster, or Countie Palatine of Lancaster. AL. 1. M. 10. touching the order of the Court.
- The Court of generall Sur: uerors.** 39 The Court of the generall Surueyors of the Kings lands, shall bee a Court of Record, and shall haue a priue Seale, whereof shall bee Officers, the Kings generall Surueyors, a Treasurer, viz. the Treasurer of the Kings Chamber for the time being, an Atturney, the Master of the wards, Auditors, Receiueys, a Clerke of the Court, an Usher, a Messenger. Their severall oathes and duties. All lands onely mentioned in a Schedule signed or to be signed with the Kings signe Manuell, shall be in the order & gouernance of the said Court. AL. 1. M. 10. The forme, effect, and force of all Obligati- ons

5. Eliz. 5.

Viz. 50. Townes.

Viz. 52. Townes.

7. Ed. 6. 2.

ons made to the King. Who shall haue the Kings Bonds and Debts after his
his death. Debts due to the king by Attainder, Outlawrie, Forfeiture, gift
of the partie, or otherwise. The kings suit for his debt shall be preferred. Lands
intailed shall be chargeable to the payment of the kings debts. AB. Accomptants
&c. 1. &c. The authoritie of the Courts of Archebisher, Bishops, and Duchie:
And in which of them suits for the kings debts shall be commenced. AB. Courts
1. The kings remedie for the Tenth detained, which was or shall be reserved Tenths.
vpon any graunt made by Letters Patents of any Lands, &c. AB. Tenths
2. Euerie Audite shall be proclaimed before the coming of the Auditor. Auditor.
The Auditors fees for enrolments. What fees euerie Receiuor shall take. AB. Receiver,
Auditor &c.

Statutes made at the Session of Parliament hol-

den vpon prerogation at Westminster 22. die Ianuarij,

An. 34. H. 8. & An. Dom.

1542.

¶ 1 All Bookes of the Old and New Testament in English, being of Testament
Cindales false translation, or containing any matter of Christian Religion, in English
Articles of the faith, or holie Scripture, contrarie to the doctrine set forth
thence Anno Domini 1540. or to be set forth by the king, shall be abolished. No
Printer or Booke-seller shall utter any of the foresaid Bookes. No persons shall
play in Entertaines, sing, or rime, contrarie to the said Doctrine. No person
shall retaine any English Bookes, or writings, concerning matter against the
holie and blessed Sacrament of the Altar, or for the maintenance of Anabap-
tists, or other Bookes abolished by the Kings Proclamation. There shall be
no Annotations, or Prefaces, in Bibles, or New Testaments in Eng-
lish. The Bible shall not be read in English in any Church. No women, or
Artificers, Apprentices, Journeyemen, Seruingmen of the degrees of Poemen,
or vnder, Husbandmen, nor Labourers, shall read the Bible or New Testa-
ment in English. Nothing shall be taught or maintained contrarie to the
Kings Instructions. And if any Spirituall person preach, teach, or main-
taine any thing contrarie to the Kings sayd Instructions, or Determinati-
ons, made, or to be made, and shall be thereof conuict, hee shall for his first of-
fence recant, for his second abiure, and beare a Ragot, and for his third shall be
abidged an Heretike, and be burned, and lose all his goods and chattels. 34. H. 8.
Ed. 6. 12.

¶ 2 Within what time the Kings Collectors of any Fiftene, Subsidie, or The Kings
other Tare or Loane, shall pay their money receiued. How farre the heirs of the Collectors
Kings Collector or Receiuor shall be charged, and to where the Executors. AB. Ac-
comptants &c. 23. 24. 25. 26. 27. Receiver.

¶ 3 The measure, assise, and scantling of Coales, Tallow, Ragots, and Wood Fuel:
lets. 34. H. 8. Ed. 6. 7.

¶ 4 The Lord Chancellor, Lord Treasurer, Lord President, &c. shall take Bankrupts,
der with Bankrupts bodie, lands, and goods, for the payment of their debts.
AL. 13. Eliz. 7. & 1. Jac. 15.

¶ 5 An Exposition made of severall branches of the Statute of 31. H. 8. 12. wills.
touching befalling by Will, or disposing by State executed, lands of feoffment
nures. AB. Will. 46. &c. A meane to auoid fraudulent conveyances, made to be wards
feat Wardships. AB. Wards 24.

King Henrie the eight.

- Pinnas.** 6 No person shall put to sale any Pinnas, but onely such as shall be double headed, and haue the heads fouldered fast to the shanke of the Pinne, wel smothered, the shanke well shauen, the point well and round filled, canted, and sharpened. *RP.* 37. H.8.13.
- Wines.** 7 The Lords authorized by the Statute of 28. H.8.14. to set the prices of Wines in grosse, may mitigat and inhaunce the prices of Wines to be sold by retails, as time and occasion shall require. *RP.*
- Surgeons.** 8 It shalbe lawfull to any person (in any parts of the kings dominions) to helpe outward sores, notwithstanding the Statute of 3 H.8.11. *AB.* Surgeons 2.
- Hauens.** 9 No rubbish shall be cast into any Haven, Rode, Channell, or Riuer. *AB.* Hauens 1. If any after or owner of any Ship or Vessell, doe vnlod any Balast or Kobell in King-rode, or in any part of the Haven nere vnto Wytholl, but vpon the land, hee shall forfeit foure pounds to the King and In-fozmer. *R.*
- Couerlets.** 10 Of what assise Couerlets made in Poike shall be, and whers they shalbe sold. *AB.* Couerlets 1. &c.
- Clothes.** 11 The weight, length, breadth, and goodnesse of Welsh Frizes, made in the Counties of Carmarthen, Cardigan, and Penbroke. *RP.* 5. Ed. 6. 6. 8. Elizabeth. 12.
- Paving.** 12 White Crosse street, and certaine other streets and lanes in London and Westminster, viz. xvj. shalbe paved by the owners or fermors thereof, and so for ever continued: which streets and lanes euery person shal pauer vnto the middelt of them, so farre in length and breadth as his owne ground doth goe, vpon paine of forfeiture of twelue pence for euery yard square unpaued. *R.*
- Chester.** 13 The Countie Palantine of Chester shall haue two Knights for the Shire, and two Burgeses for the Citie of Chester, at euery Parliament. *AB.* Chester 2. No writ of course in the nature of a Protection, shalbe graunted in the Countie Palantine of Chester, without the Kings warrant. *AB.* Protection 5.
- Connists.** 14 The names of all persons outlawed, attainted, and connist of felonie, shalbe certified into the Kings Bench. *AB.* Certificat &c. 1. &c.
- Bishop of Bath &c.** 15 All Gifts, Graunts, and Writings, to be made by the Bishop of Bath and Wells, vnder his Seale, of any his Lands, Offices, Fees, &c. and confirmed by the Deane and Chapter of Wells in writing vnder their Chapter Seale, shalbe good in law to bind the successors of the said Bishop. And the Deane and Chapter of Wells shalbe for ever the entire and sole Chapter of the said Bishopricks of Bath and Wells: wherof the Prior and Conuent of the dissolved monasterie of St. Peter and Paul of Bath, were heretofore the halfe part. *R.*
- Sherifes.** 16 Sherifes vpon their accounts made in the Exchequer, shall be discharged of such summes of money which they will testifie by their oathes they cannot leuie. And they shall haue allowances for the diet of the Iustices of Assise, Clerke of Assise, and other their reasonable expences. *RP.* 1. Ed. 6. 4.
- Bishops & Archbishops.** 17 The Bishops new created (by the King) of Chester, Gloucester, Worcester, Hereford, Wytholl, and Oxford, shall pay their Tenths limited by the Statute of 26. H.8. 3. in the Court of First fruits. And they or their successors shall not be charged with a double Tenth, though the same be referred by their Letters Patents. *AL.* 1. Mar. 10. touching the place of payment.

18 A Confirmation of all Liberties graunted by the King, or any of his Progenitors, to the Priors and Aldermen of Canterburie. So foraine not being free of the said Citie, shall buy or sell any merchandise (sauing victuall) to another foraine: nor shall keepe any shop, nor vse any mysterie within the said Citie, or the Liberties thereof, without the licence of the Priors and Aldermen or the moze part of them, in wytyng vnder their Seale, vpon paine to forseyt vs. viij. s. for euerie offence, to the said Priors and Aldermen, to be recovered by action, or distresse. R.

19 Pensions, Portions, Synodals, Porties, &c. due out of religious lands dissolved, to Bishops, Archdeacons, &c. shall be paid by the occupiers of the same lands, as they were before. AB Monasteries 33. &c.

20 Common Recoueries of lands in faile, wherof the king is in reuerfion, shall be void. AB Recoueries 2. 3. 4.

7 Ed. 6. 3.
4. & 5. P. &
M. 1.
18. Eliz. 2.
43. Eliz. 1.

21 A Confirmation of all Letters patents and other wytyngs made by the king to any other person, or to be made within 7. yeares after: and of all assurances made or to be made by any other to the king within the said seven yerres of any lands, &c. AB Patents 17. The king granting an office with a fee, if the office be decayed, the fee shall cease. EP.

22 The force of Recoueries, Writs enrolled, and Releases acknowledged by women couert, in certaine corporat Townes. AB Women 3.

31. H. 8. 18.

23 Judgement may be giuen against any person, for an offence committed, contrarie to the Statute of 31. H. 8. 8. ordained for the due execution of Proclamations by the Kings Privie Councell: so that there be nine of the same Privie Councell at the least, then present. EP. 1. Edward. 6. 12.

24 John Hynde the Kings Sericant at the Late, shall have to him, his heires and assignes for ever, the Mannor of Birkelwas, otherwise called the Shire Mannor, lying in Spaddingley, in the Countie of Cambridge, employed to the payment of the wages of the Knights of the Parliament of the same Countie, paying therfore at Michelmass yearly tenne pounds for the wages of the Knights of the Parliament of Cambridgeshire. The two Knights of the Parliament, and the Sheriffe of Cambridgeshire for the time being, shall be incorporated by the name of Wardens of the fees and wages of the Knights of the Shire of Cambridge. And the said Knights or the survivors of them, and the Sheriffe, if they both dye, shall have the sayd Rent of tenne pounds to their owne vse, untill other Knights of the Parliament be chosen. And the sayd Wardens may recouer the said Rent, being vnpayed, by Action of Debt, or Distresse. And if the Rent be vnpayed thre Monethes, then the Wardens may enter vpon the land, and retaine it, untill they be satisfied of the Rent, and the Arerages. And if the sayd Mannor, or any part thereof, shall come into the Kings hands by Warre, Cheate, Primer seisin, or otherwise. Then the Kings Receiuors, Baylives, or ec. shall pay the Wardens the sayd Rent. The inhabitants of the Countie of Cambridge, shall be discharged of the wages of the Knights of the Parliament. R.

25 It shall be lawful to the Priors, Burgesses, and inhabitants of Wolk in the Countie of Dorset, and to their successors, to erect a Wind-mill in the R. wall ground and Common in the Towne of Baiter: and a Conduit head in a place called Lotnam, and to haue fiftene foot square for the Conduit head: and to digge and draw in by throughe, and vpon all places meet and convenient into and from the same &c. yielding yearly to the King, his heires &c. one Pepper coyne. R.

King Henrie the eight.

Wales.

36 The Principallitie of Wales divided into twelue Shires, & into Hundreds. A President and Councell established there. Sessions, Courts, Justices, Sherifes, Escheatores, Pzenotaries, Coroners, and other Officers appointed there. Originall and iudiciall Seales ordained there. Certaine Townes annexed to some Counties in Wales, and to some in England. AB. Wales 2. &c.

Statutes made at the Sesssion of Parliament holden upon prorogation at Westminster 14. die Ianuarij, An. 35. H. 8. & An. Dom.

1543.

The Crowne entailed.

¶ 1 If the King and Prince Edward his sonne shall dye without heyre of either of their bodies lawfully begotten, then the Imperiall Crowne of this Realme shall be to the Ladie Marie, the Kings eldest daughter, & to the heires of her bodie lawfully begotten, And for default of such issue, to the Ladie Elizabeth, the Kings second daughter, and the heires of her bodie lawfully begotten, with such conditions as the King by his Letters Patents under the great Seale, or by his last Will in writing, shall declare and limit to their Estates (if he shall declare any.) And because, if the said Prince Edward, Ladie Marie, and Ladie Elizabeth, shall dye without such issue of their bodies, then after the Kings death this Realme shall be destitute of a lawfull Gournour, to order, rule, and governe the same: Therefore for lacke of such issue of Prince Edward, Ladie Marie, and Ladie Elizabeth, the Crowne shall remaine, and be to such person and persons, and for such Estate or Estates as the King by his Letters Patents under the great Seale, or by his last Will in writing, signed with his hand, shall give, dispose, appoint, and limit the same. All the Kings subiects and resiants shall at the Kings pleasure take an oath for the renouncing of the authoritie of the Bishop of Rome, for the maintenance of the Kings Supremacie, and for the defence of the Title and Succession of the Crowne, limited by this Statute, and the Statute of 28. H. 8. 7. And if any person to whom the same oath shall be tendered, shall refuse to take the same, or shall doe any thing for the interruption of this Act, or to the perill, slander, or dishonour of any of the issues and heires of the King, being limited by this Act to inherit: or of any person or persons to whom the Crowne shall be limited by the Kings Letters Patents, or last Will in writing, whereby such persons might be destroyed in bodie or Title to the inheritance of the Crowne: then everie such offender shall be adjudged a Traitor. RP. touching the oath 1. & 2. P. & M. 8.

Treasons.

2 Where and before whom Treasons committed out of the Realme shall be tried. AB. Treasons 10.

The Kings Title.

3 The Kings Title shall be: Henrie the eight, by the grace of God, King of England, France, and Ireland, Defender of the faith, and of the Church of England, and also of Ireland, in earth the Supreme Head. Which Title shall be united and annexed for ever to the Imperiall Crowne of this Realme of England. And it shall be high Treason to imagine or attempt to deprieve the King or any of his heires, or assignes, of any of their said Titles or Titles. RP. 1. & 2. P. & M. 8.

Townes.

4 A remedie for the repaire of decayed houses in Sharnsburie, Chester, Ludlow, Pembroke, and other Townes in England and Wales. AB. Townes 6.

5 No person shall be put to his trial upon an accusation concerning any of the offences comprised in the Statute of 31. H. 8. 14. but onely upon such as shall be made by the oath of 12. men, before Commissioners authorized. And the presentment shall be made within one yeare after the offence committed. No person shall be arrested or committed to ward for any such offence, before he be indicted. If a Preacher or Reader shall speake any thing in his Sermon, or Reading, contrarie to any matter contained in the vs. Articles, he shall be accused, or indicted thereof within forty dayes, or else shall be discharged of the sayd offence. *RP* 1. Ed. 6. 12.

27. Eliz. 6.
1. Ed. 6. 31.
14. Eliz. 9.

6 The forme of a Venire facias, where each Iuro must dispend 12. s. of 12. s. hold, and where not. How many Hundredes be requisit in a Iurie. What issues shall be returned upon Iuroes. Tales de Circumstantibus grauntable at the plaintifes request. *AB* Iurors 19. 20. 21. 23.

7 A Repeale of the Statute of 25. H. 8. 4. touching the forestalling and regrating of fish.

23. H. 8. 4.

8 Euerie Artificer of the Myserie of Colwepers may take for euerie Ware barrell by him sold 1. d. and for euerie Ware kilberkin 1/2. d. Whosoever shall carrie Ware beyond the Sea, shall find sureties to the Customers of that Port, to bring in Clapbord next to make so much vessell as he shall carrie forth. No man in London, or within two miles compasse, shall cut or diminish any barrels, kilberkins, or firkins, but for his own prouision. No man shall transport Ware in a greater vessell than a barrell, upon paines to forfeit 1/2. s. 1/2. d. for euerie vessell. *RP*.

9 S. Batherines Parsh, other wise called Wrapping Parsh, in the Countie of Middlesex, shall be diuided by certaine persons assigned, or by any six of them. And Richard Hill of London Parsh (the assignee of Coznelis Wanderinge, who at his owne charge inned, and recovered the same being drowned) shall haue the one moitie thereof to him and to his heires. *RP*.

10 It shall be lawfull to the Palat and Communitie of London, and to their successours, assignees, and seruants, at all times to enter into the grounds of the king, and euerie other person, where they shall know any springs to be found (so that it be not into their houses, gardenes, orchards, or places inclosed with stone, bricke, or mud wall) and there to dig pits, trenches, & ditches, and to erect heads, lay pipes, and make bankes, and to doe euerie such thing as shall be necessarie onely for the conueyance of water to the citie of London, and the suburbs thereof: and from time to time to view, amend, & translate them, paying so much to the owners or possessors of the same grounds, as shall be taxed by three or foure such indifferent persons as shall be assigned by the Lord Chancellor, by the kings Commission. *RP*.

11 The wages of Knights and Burgeses for the Parliament, in the rty. Shire of Wales, and Countie of Pannmouth. By whom Burgeses there shall be chosen, and who shall rate their wages. *AB* Wales 118. 119. 120. 121.

12 The Lords and Commons doe remit vnto the king all such summes of money, as he hath borrowed of them, or any other, by way of prest, or loane, by his priuie Seales, sithence the first day of Januarie Anno 33. of his raigne. And if the king haue paid to any person any summe of money which he borrowed, by sale of land, or otherwise, the same person, his heires, executors, or administrators, shall repay the same againe to the king. And if any person hath sold his priuie Seale to another, the seller shall repay the money to the buyer thereof. *RP*.

13 The Kings Panoury of Craninges, Colinghams, Bottes, Femmes, and

The six Articles.

fish.

Barrels.

Ware.

Wrapping Parsh.

Conduits for London.

Wales. Parliament.

I loane remitted.

wallingham and Panoury.

King Henrie the eight.

and Parishes in the Countie of *Posfolke*, which sometime were parcels of the possessions of the late Abbey of *Wiozie of Walsingham*, shall and may be granted by copie of Court Roll in fee simple, for terme of life, or lines, by the *Sretwards* of the said *Panoys*, their *Understewards*, or *Deputies*, for such rents, seruices, fines, harios, and customes, as in the said Copies shall be specified. Which Copies shall be good against the King, his heires, successors, and assignes. R.

Tenure.
Tenth.

14 The King may reserve upon those Abbey lands which were dissolved by the Statute of 27. H. 8. 27. not exceeding the yearly value of *xl. s.* a tenure, by *xl. nights* seruice in Capite, or else a tenure in *Soilage*, or free *Burgage* at his pleasure, with the yearly rent of the tenth part of the said lands. AB. Tenure 6.

37. H. 8. 10.
7. Ed. 6. 3.

Danings of
Cambridge.

15 All persons which haue any houses, lands, gardens, or other grounds, in the towne of *Cambridge*, adioyning upon euerie highway, street, or lane, in his owne right, or the right of his wife, shall cause the same to be paued with pauing stone, vnto the middle of the same wayes, & in length as their grounds doe extend, upon paine to forfeit *vi. s.* for euerie yard square not sufficiently paued. R.

Canons examined.

16 The king shall haue authoritie during his life, to name *xxij.* persons, viz. *xvi.* spiritual, and *vi.* Temporal, to examine all *Canons*, *Constitutions*, and *Ordinances* prouinciall, and *Synodall*, and to establish all such *Lawes Ecclesiasticall* as shalbe thought by the king and them conuenient to be used in all spiritual Courts. R.

25. H. 8. 19.
27. H. 8. 15.
3. Ed. 6. 11.

Woods.

17 How many *Standilles*, and of what bignesse, shalbe left standing in euerie acre of wood, at the selling thereof. How many peres the same wood shalbe preserved from cattell. How the woods shalbe used at the selling thereof, wherein others haue common: And how long they shalbe kept seuerall. AB. Woods 1. &c.

13. Eliz. 25.

Pardon.

18 The kings general and free Pardon of all treasons, felonies, robberies, &c. confirmed by Parliament, Except &c.

Statutes made at the Parliament begun and holden at Westminster, An. 37. H. 8. & An. Dom. 1545.

Custos Rotulorum.
Cl. of the peace.
Hounslow heath.

¶ 1 The *Custos Rotulorum* shalbe appointed in euerie Countie by bill assigned with the kings owne hand. AL. 3. Ed. 6. 1. The *Custos Rotulorum* shall in euerie Shire appoint the *Clerke of the peace*, who may occupie the same office by deputie. AB. *Clerke of the peace* 1.

2 *Hounslow heath* in the Countie of *Middlesex*, which doth contain foure thousand two hundred, fourescore and thirtie acres, and one rood of ground, extendeth into seuerall Parishes. So much thereof as is the kings inheritance, and is meet for tillage, pasture, medow, or other seuerall ground, shalbe of the nature and condition of *Copihold* land. And the same may be letten by the *Sretward* of the *Panoys* at will, or for *xxj.* yeares, which lessee shall or may improve it. R.

Huntington lane.

3 *Huntington lane* nere the Citie of *Chester*, being in length two miles and a halfe, shall be from time to time repayed by one that shall dwell in the said lane, and shall haue pasture for five kine or beastes in the highway from *Bothyl* to *Butterbatch* bidge. Sir *William Stanley*, and Sir *Hugh Calueley*, and their heires males being of full age, and in default of them the *Mayor* and

and Aldermen of Chester shall appoint the same partie, and remove him, if hee be negligent in repairing of any part of the said way. RR.

1. Ed. 5. 14. 4 All Colleges, free Chappels, Chauntries, Hospitals, Fraternities, B^o Chauntries, the^ods, and stipendarie Priests, made to haue continuance for euer. And all their lands, tenements, and hereditaments, shalbe in the disposition of the king during his life. AB. Monasteries 14.

11. H. 7. 1. 5. **5** Who be sufficient to passe upon an Attaint brought in London, and in Ittain.
23. H. 8. 3. **10** What place the same Attaint shall be tried. AB. Attaint 14. 15.

6 If shall be felonie maliciously, willingly, and secretly, to burne, or cause to be burned, any frame of timber of another persons, prepared for the making of a house. **RP.** 1. Ed. 6. 12. If any person shall cut, or cause to be cut out the head or bannone of any pole, pond, fiew, &c. he shall forfeit to the party grieved treble damages, and to the king **r.** for a fine. **AL.** 5. Eliz. 21. The penaltie for the cutting of a pipe of a conduit: **D** for the burning of a cart or waine laden with coales, or other goods, or of any heape of wood prepared for coales, billets, or tallwood: **D** for the cutting out of the tongue of another mans beast, or to cut off the eares of any of the kings subjects: **D** to barke fruit trees. **AB.** Burning
1. Conduit 1. Eares 1. Tame beasts 1. Barke 1.

7 A repeal of so much of the Stat. of 33. H.8. 10. as toucheth the keeping of six weeks Sessions. And all the offences in the same Stat. mentioned shall be inquired of, punished, and reformed at the Quarter Sessions. AB. Inst. of peace 20. 6. Weeks Sessions.

8 The two da Cum baculis, cultellis, arcubus, & sagittis, shall not of necessi- Indictment.
tie be put in an Indictment. AB. Indictments 1. No person shall haue his Cler-
gie, which is found guiltie for the stealing of any horse, or which being thereof Clergie.
indicted and arraigned, doth stand mute of malice, or stoward mind, or chalenge
peremptorie above the number of 11. or will not answer directly to the same
Indictment and felony. AB. Clergie 1.

9 A repeal of all former Statutes made against vsurie, gifts, corrupt bar, vsurie, gaines, and cheuisances. The severall penalties for taking of r.f. more or lesse for the forbearance of an C.f. for one yeare: And for selling of wares, and buying the same within thre monethes. AB. Vsurie 1. &c.

10 If any person shall devise or make any writing, compassing that another hath spoken or committed high Treason, and the said writing shall cast or leave in an open place, whereby it may be found, & shall not subscribe his name to the same, and within xij. dayes after personally appeare before the King or his Councell, and affirme the contents of the same to be true, then he shalbe adjudged a felon. *RP. 1. Ed. 6. 12.* Slanderous bills.

II Every person which shalbe owner of any parcell of Combe marshes in the Parish of East Greenwich in the Countie of Kent, shalbe contributozie towards the reparation of the said marshes from time to time, after the rate of the acre, as other owners be charged. And when any taxe shall be made, it shall be lawfull to the exrenditozs, and collectozs, or one of them, to distraine the goods of such person which shall refuse to pay after that rate, and the same distresse to retaine, & vfe, according to the lawes of Romney marsh, &c.

37. H. 2. 11. 12. **E**uerie person in London denyng to pay his tythes, oblations, or other duties, contrarie to a decre made by the Archbishop of Canterburie and other arbitratores, shalbe committed to prison by the Lord Mayor of London, and in his default by the Lord Chancelor, untill he hath agreed with the Curat &c. **AB.** Tythes 10. Tythes in London.

13 A repeal of the Stat. of 34 H. 8. 6. ordained for the making of Wines. Wines.

King Henrie the eight.

Scarborough
Peter.

14 There shalbe a Corporation, or bodie Politike, of two persons to be called for ever the Passers, or Keepers of the Ware or Key of Scarborough, the Countie of Yorke, who shall have authoritie to governe the workes of the same Key or Ware, to hire workemen, buy stufte, and make provision for every thing thereunto belonging, which shall receive yearly of every owner of any messuages, lands, tenements, and hereditaments, or rents, within the liberties of Scarborough, the first part of the yearly value of the same, towards the reparation of the said Ware. For the which the said Passers or Keepers may distraine. R.

Wool.

15 No person, other then Merchants of the Staple, and their Factors, and servants, to be shipped onely to the Staple, and other then such as shall convert the same into yarns, hats, girdles, or cloth (and not to sell againe) shall buy, or take promise of bargain, of any wools, of the growing of the Shires of Kent &c. upon paine of forfeiture of the double value thereof: But every person may buye his owne wool to the open Market, and sell it. No person shall buy or bargain for any wool, for any Merchant stranger, upon paine of forfeiture thereof. R.

4. Ed. 4. 4.
4. H. 7. 11.
22. H. 8. 1.

27. Shires.

3. Ed. 6. 7.

Duchylands.

16 The Manor of Ripon in the Countie of Yorke, late parcell of the possessions of the Archbishop of Yorke, & by him assured to the king and his heires, and certaine other lands of the kings, shall be annexed to the kings Duchie of Lancaster. And all gifts, grants, leases, letters patents, and other writings to be made by the king, his heires or successors of the same, shalbe under the seale of the Duchie of Lancaster, and not under any other seale, and with the like linerie of seisin, attournments, ceremonies, orders, and circumstances, as other the auncient possessions of the said Duchie have used, and ought to be made. Severall assurances made by the Archbishops of Yorke and Cantuarburie, and the Bishop of London, of divers manors, lands, & tenements, to the R. his heires, &c. confirmed. The Manor of Crondon, and Crondon Parke in Essex, assured to Sir William Peter and his heires, which before was parcell of the possessions of the Bishop of London. R.

2. & 3. P. &
M. 10.

Bishops
lands.

Crondon.

Doctors of
Law.

17 Doctors of the Civile Law, if they be lay, married or unmarried, may exercise all manner of Ecclesiasticall Jurisdiction. AB. Ecclesiasticall &c. 44.

1. Eliz. 1.

4. Honours.

18 The king during his life, may by his own or severall letters patents, under the great Seale, and proclamation, make the Citie of Westminster one Honour, the Towne of Kingston upon Hull another, his Castle of Donington in the Countie of Leicestershire a third, and so forth in the Countie of Essex a fourth Honour. And also so many other Honours as he will, & annex to them such lands of his, as he wil. The Freeholders and Copiholders shall hold their lands as they did before. R.

Fines.

19 Fines levied and proclaimed before the Justices of Assise at Lancaster, shalbe of like force as Fines acknowledged before the Justices of the Common place. AB. Fines 12.

Tenures.

20 An explanation of the Statute of 35. H. 8. 14. touching reserving of Tenures upon lands granted by the kings Letters patents. The king during five yeares may reserve certaine other Tenures, & not in Capite, upon lands by him granted in fee simple, not exceeding the yearly value of xl. s. AL. 7. Ed. 6. 3.

Union.

21 There may be an union of two Churches in one, where they be not above a mile distant, and one of them not above the yearly value of vij. l. AB. Ecclesiasticall &c. 31.

1. Eliz. 4.

1 Ed. 6. 32.

22 The Statute of 35. H. 8. 6. touching a Tales to be graunted de Cir. Tales. cumstancibus, where a full Jurie doth not appeare, continued untill the end of the next Parliament.

23 Certaine Statutes made in the raigne of King Henric the eight, continued untill the last day of the next Parliament &c. The Lords appointed by the Statute of 18. H. 8. 14. to set the prices of wines, shall yearly set the same prices betwene the xx. day of November and the last day of December. In what case Maiors or other head Officers may sell other mens wines. AB. Wines 1. 4.

24 A confirmation of a Subsidie granted to the king by the Clergie, of viij. Subsidie. s. in the pound, to be paid in two years. &c.

Statutes

King Edward the sixth.

Statutes made at Westminster 4. die Nouembris,

Anno 1. Edw. 6. & Anno Domini

1547.

Sacraments. 1

The penaltie for vtirenerent speaking against the Sacrament of the bodie and blood of Christ, against the receiuing thereof vnder both kinds. AB. Sacraments 1. &c.

1. Eliz. 1.
1. Ma. 2.

Bishops.

2 From henceforth no Conge deslier shall be graunted, nor any election shall be made of an Archbishoppe or Bishop, by the Deane and Chapter: But when any Archbishopricke or Bishopricke is void, the King by his Letters Patents may conferre the same to any person whom he shall thinke meet. The which collation so made, and deliuered to the person to whom the King shall conferre the same, or to his Proctor or Attorney, shall stand to the same effect, as though a Conge deslier had bene given, the election duely made and confirmed. All Summons, Citations, and other Processes Ecclesiasticall, shall be made in the name, and with the stile of the King, as in Writs at the Common law: And the Title thereof shall be in the name of the Archbishop, Bishop, &c. All persons that haue the exercise of Ecclesiasticall iurisdiction, shall haue in their Seales of Office the Kings Armes, with certaine characters vnder them, for the knowledge of the Diocesse. But the Archbishop of Canterburie shall vse his owne Seale, and his owne name in all faculties and dispensations. EP. 1. M. 2.

5. Ed. 6. 1.

**Ecclesiastical
Processes.**

Vagabonds.

3 A repeale of all Stat. heretofore made for the punishment of vagabonds, and of all articles comprised in the same. If any person shall bring to two

11. H. 8. 13.
27. H. 8. 25.

Slaves.

Just. of peace any runnagate seruant, or any other which lieth idly, and loyteringly, by the space of thre dayes, the said Justices shall cause the said idle and loitering seruant or vagabond, to be marked with a hot yron on the breast with the marke V. and aduidge him to be slaue to the same person that brought or presented him, to haue, to him, his executors or assignes, for two yeares after: Who shall take the said slaue, and give him bread, water, or small drinke, and refuse meat, and cause him to worke by beating, chaining, or otherwise, in such worke and labour as he shall put him vnto, be it neuer so vile. And if such slaue absent himselfe from his said Master within the sayd terme of two yeares, by the space of foureteene dayes, then he shall be aduידged by two Justices of peace to be marked on the forehead, or the ball of the cheeke, with a hot yron with the signe of an S. and further shall be aduידged to be slaue to his said Master for euer. And if the said slaue shall runne away the second time, he shall be aduידged

Clerke convicted,

a felon. So Clerke convicted shall make his purgation, but shall be a slaue for one yeare to him who will become bound with two sureties in xx. l. to the W. d. dinarie, to the Kings vse, to take him into seruice. And he shall be vsed in all respects as is aforesaid, like to a vagabond. A Clerke attainted or convicted, which by the law cannot make his purgation, may by the W. d. dinarie be deliuered to any man, who will become bound with two sufficient sureties, to keepe him as his slaue five yeares. And then he shall be vsed in all respects as is aforesaid for a vagabond, sauing for his burning in the breast. It shall be lawfull to enery person to whom any shall be aduידged a slaue, to put a ring of yron about his necke, arme, or legge. A Justice of peace and Constable may bind a beggers manchild prentice to the age of xxiij. yeares, and a woman child to the age of xx. yeares, to any that will require them. And if the said child runne away, then his Master may retaine and vse him for the terme aforesaid, as his slaue. All impotent, maimed, and aged persons, who cannot be taken for vagabonds, shall

**Beggers
children.**

shall haue conuenient houses provided for them, and otherwise bee relieved in the Cities, Boroughes, or Townes where they were borne, or were most conuerfant by the space of thre yeares, by the willing and charitable disposition of the Parishioners. And none other shall be suffered to begge there. *RP. 3. & 4. Edw. 6. 16.*

Beggars.

9.H.3.31.
1.Ed.3.13.

4 There shall be no Tenure in Capite of the King, by reason of lands coming to his hands by Attainder, Dissolution, Surrender &c. Conclusion of Tenure by matter of Record. *AB. Tenure 1. 2. 3.*

Tenure.

11.H.7.13.
22.H.8.7.

5 No person shall transport, sell, or convey any Horse, Gelding, or Mare into Scotland, or beyond the sea, without the Licence. *AB. Horses 14. &c. But enemie of the R. Subjects may transport horses for their owne iournies, and not to the intent to sell them. RP. 5. Eliz. 19.*

Transporting of Horses.

5.Ed.6.7.
37.H.8.17.
33.H.8.16.

6 Cuery person dwelling in Suffolke or Suffolke, may buy and sell a gaine Suffolke Woll in open Market. *AB. Woll 4. Who may buy Suffolke Woll in Suffolke, or Suffolke. No Suffolke Woll shall be transported. AB. Yarne 1. 2.*

Wool.

Parne.

11.H.6.6.

7 The death of the King shall not discontinue any suit. The death, New Commission, or Association of Iustices, shall make no discontinuance of certaine actions. The plaintifes preferment to a name of dignitie, shal not abate his sute. New Iustices may give iudgement of a prisoner found guiltie. No suit before Iustices shall be discontinued by a new commission. *AB. Discontinuance 1. &c.*

Discontinuance of suites.

7.Ed.6.3.

8 A Confirmation of all letters Patents, Indentures, and other writings made by the R. Since 28. die Januarij last past, or hereafter to be made during the R. life, of any honours, manors, lands, &c. notwithstanding any misnaming, misrecitall, &c. *AB. Patents 21.*

Confirmation

1.M.15.

9 It shalbe lawfull to the Mayor and Recorder of the cite of Poike, and to the Mayor, or his deputie, and six Iustices of peace in the said city, to unite and knit together so many of the parishes in Poike into a fewer number, as to them shalbe thought conuenient: So the cleere yerely value exceed not twenty pound: And so to proceed through the said cite, and the suburbs thereof. And it shalbe lawfull to the said Mayor &c. to pull downe the Churches which they shall thinke superfluous there, and to bestow the same towards the repaire and enlargement of other Churches, Bridges, and the reliefe of the poore: and also to appoint the Patronage and Presentment, of the Churches so united, to the Patrons by turne. *R.*

Union in Poike.

5.Ed.6.16.

10 How Exigents and Proclamations shall bee awarded out of the Kings Bench, and Common Place, against any person dwelling in any of the twelue Counties in Wales, or in any of the Counties Palatine of Chester, or of the Cite of Chester. The Sherifes of the foresaid Counties shall haue Deputies in the said Courts. Processes against persons outlawed in any of the said Counties in Wales. *RP. Exigent. 6. 7. 8. 9.*

Exigents, Wales, Chester.

11 A repeale of the statute of 28. H. 8. 17. which gaue authoritie to the king after his age of 24. yeares, to repeale by his letters patents all former statutes made during his minority. An authoritie given to the said R. Edward 6. first, and to every heire of the late R. Henry the eight, & to every person to whom the Ctolone shall descend, continue, or come, by his appointment, to repeale all statutes made before his full age of 24. yerres, saving this statute, and all persons granted by Parliament. So that the said repeale contains all such acts as shall be repealed, and this severall dayes be openly proclaimed in the Chancery in Some time &c. and once in every County at the Assises.

Repealing of Statutes.

King Edward the sixth.

- Repeale of Stat.** 12 A repeale of all Statutes to hereby any acts or offences have been made by any act or offence hath been made felonie since the statute of 25. Edw. 3. *1.M.1. 1.H.4.10.*
- Hereticks. Lollards.** 13 And of all Statutes touching, mentioning, or in any wise concerning Religion or opinions, viz. of the statutes of 5. R. 2. 5. 2. H. 5. 7. 25. H. 8. 14. Concerning the punishment and reformation of Hereticks and Lollards: And of the Statute of the five articles made 31. Hen. 8. 14. And of the Statute of 34. Hen. 8. 1. Touching Bookes of the Testament in English: And of the Statute of 35. Hen. 8. 5. Concerning the qualification of the Statute of the five Articles: And of the Statute of 31. Hen. 8. 8. & 34. Hen. 8. 23. Concerning Proclamations made by the King with the advice of his Councell.
- Treasons.** It shall be high Treason, by writing, printing, or any overt Act, to affirme, that the King is not supreme head in earth of the Church of England &c. *16.H.8.13.*
- Clergie.** And that the Bishoppe of Rome, or any other then the King is or ought to be: And to compass to deprive or depose the King or his heires from his estate or title: And to affirme that any other ought to be King. *1.M. Clergie*
- Dower.** And Sanctuarie taken away in certaine cases, and from certaine offenders, and allowed in all other cases of felonie. *AB. Clergie 13. 15. Wilfull poy, 3.E.6.33; 5.E.6.9.*
- Subsidie.** 13 A Subsidie of Lonnage and Pondage granted to the King during his life. *1.M. Clergie*
- Chauntries.** 14 All Colledges, Chauntries, free Chappels, Fraternities, Brotherhoods, Guilds, &c. And their Lands, Tenements, Goods, and Cattels shall be in the actual and real possession of the King, his Heires, and successors. A Confirmation of all graunts made of any parcell of any of them by King Henrie the eight, or King Edward the first, to any person or Corporation. A confirmation of all gifts and graunts made to King Henrie the eight, or King Edward the first, by any Archbishoppe, Bishop, Deane, Archdeacon, or other spirituall person, or by any Patron, Donor, or founder of any of the sayde Deaneries &c. and of all, or any Lands &c. to any of them annexed. *AB. Monasteries &c. 15. &c.*
- Pardon.** 15 The Kings generall and free Pardon confirmed by Parliament. Except &c.

Statutes made at the Session of Parliament holden by pro-
rogation at Westmynster, 4. die Novembris, Anno 2. Edw. 6,
& Anno Domini 1548.

- The booke of comon prayer.** 1 The penaltie for not using the booke of Common Prayer and administration of the Sacraments, and other rites and ceremonies of the church, after the use of the Church of England: And for using any other manner of prayer, or administration of the Sacraments: And for depraving the sayd booke, or any thing contained therein. *AL. 1. Eliz. 2. 5.Ed.6.1;*
- Captaines. Souldiers.** 2 The penaltie of a Souldier, for making away his horse or harness, or for departing from his Captaine without Licence: And of a Captaine that licen-
ceth his Souldier to depart without the assent of the Lieutenant &c. *4.& 5.P.& M. 1. 18.H.6.19.*
- chargeth

chargeth one appointed to serue, or demandeth more wages then is due. AB. Capitaines &c. 1. 2.

3. For Purueys, or other person, by authoritie of any commission, or other warrant, shall during thre yerres next, puruey, or take for the provision of the Kings household, his sisters, or any other persons, any Cozne, Bienes, Spices, furs, &c. Wool, Coale, Straw, hay, or any kind of victuals, without the full consent of the owner, and at such price, for ready money, as the owner and Puruey or can agree: And shall take for any of the Kings affaires, or the wars, or otherwise any goods, cattels, or other things whatsoever (saving Barges, Shippes, Carres, and things necessary for carriages) without consent of the owner, & at such price as reasonable money, as the owner and Puruey or can agree (except post horses, for which shall be paid a pence a mile.) And if any Taker, or other person shall offend in any point contrary to the ordinance aforesaid, he shall forfeit to the partie grieved treble the value of the thing taken, suffer imprisonment a quarter of a yere, and make fine at the Kings pleasure. The King will allow to the owner of euery Cart taken for his household by 3. a mile, for the wars and other carriages by 1. a mile. AB.

Purueance.

4. Expence of the Statute of 14. H. 3. 16. touching Sherrifs allowances by their accounpts. All Sherrifs shall haue such allowances, as they haue heretofore had, and shall be discharged upon their accounpts, of such summes of money which they cannot leue. And euery Sherrif shall be sworne to deliuer into the Exchequer Roll of parchment of all such summes of money which he hath, or might bene leuied. The Treasorer, Barons, &c. of the Exchequer, shall allowe out such pences as they shall thinke good, for the leuying of the Kings ancient rights vniuersally withholden. AB. Sherrifs 38. 39.

Sherrif.

5. Cited, Bishops, and Townes enserued, in England and Wales, shall be remitted of such fee. Farmed as they ought to pay to the King for thre yeres: And the money gathered of the said fee. Farmed during those thre yeres, shall be imployed about the repairing of Wallles, or Bridges, setting the piers on the wyke, or other good seruise in euery such Cite, or pt. AL. 3. Edw. 1. 18.

Exchequer.

Fee farmed, remitted.

6. There shall be no exaction by the Countroll, or any of his officers, of any speechment or Sherrifment, or anything for fish. AB. Fish 2.

Fishermen.

7. Those Pensions that by the countie parties of others, did of them such Pensions as by the Kings Patentes were graunted unto them out of Abbey or Religious Lands, for life, shall haue their Pensions againe, so that they pay or tender so much money as they receiued for their sayd Pensions.

Pensions.

8. Upon Inquisitions taken of Lanes, the interest of other persons shall be saved therein, though they be not found by Office. AB. Office 1. A remedie to here an heir of full age is found by Office to bee within age. AB. Liverie 3. Writings for an untrue Office, found after the death of the Kings Tenant: And upon Attainder of Treason, felony, or other crime, when the King is intituled to a Tenure, where none is left in a Tenure, a Scire facias shall be awarded against the Kings Tenant. AB. Treason 1. &c. A remedie to here Tenures be incertainly found by Office. AB. Tenure 4. How the same Lanes shall be answered their Chief Rent, during the minority of the Kings Ward. AB. Ward 1. 18.

Inquisition.

Tenure.

Tenant.

Chief rent.

9. A confirmation of all former statutes made concerning Lanes, Curriers, Leather, and Cordwainers. The summe of Curriers, Cordwainers, Cobblers, Shoemakers, Saddlers, Leatherstellers, &c. in buying, setting, making, or selling of their wares, and of their fees in such, and such the same. The penalties of

Leather.

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of transporting of leather. And what quantitie a Tanner shall cut his sole Leather. *HP. 5. Eliz. 8.*

Mault. 10 How long Barley *op* mault shall be in the fat, flour, steeping, and drying. *29. Eliz. 14.*
God *op* mault shall not be mingled with hay. *op* mault shall be well troden, rubbed, *17. R. 14.*
and fanned. *AB. Mault 1. &c.*

Tanner. 11 So Tanner shall put any tanned Leather to sale (saining calues skins) *1. Eliz. 9.*
tanned or mixed with ashen barks, sapwood, meale, or Culner dung, and unless it hath lien in the tanne twyes sufficiently wrought thre quarters of the years at the least: *So* shall overburne with lime any hides: *So* shall set his fats in tanne hils: *And* shall put any hot liquors or twyes in the fats wherein hides shall be put to tanning: *And* shall practise any other way for the over speeding tanning of hides, or whereby they shall be burned or scalded: *And* shall cut any hide of skere or cow to make clout Leather thereof: *And* shall tanne any shype skinnes, upon paine to forfeit the same Leather *et. and* *vj. s. viij. d.* for every hide *et. HP.*

Duke of Somerset. 12 A confirmation of all leases, and graunts by copie of Court Roll for life, or lines, not exceeding thre lines of any lands of the duke of Somerset, called Bartons lands, or demaine lands, made, or to be made, by the said dukes assig-
nees to any person. *HP.*

Tithes. 13 Speciall Tithes shall be set forth in their kind to the parson or vicar *et. 27. H. 8. 24.*
The Tithes of cattell feeding in wast grounds, of barren heath, of *op* merchants, *2. H. 8. 7.*
handicrafts men, and of fish. *How* offerings shall be paid. *Where*, and by what means the party grieved shall have his remedy for tithes withheld. *AB. Tithes 25. &c.* He that will sue for a prohibition, must deliver to a Judge of the court a copie of the libell. *AB. Prohibition 10.*

Prohibition. 14 The penaltie for shooting with a hand-gunne in a citie or Towne, at a
marks, or for shooting with baile shot. *AB. Gunnes 4. 10. 11.*

Gunnes. 15 The punishment of victualers, conspiring not to sell their victuals but
at certaine pices: And of labourers conspiring touching their wages. *AB.*
Artificers. 16 He shall forfeit *v. l.* to the King and Justice, which doth denie or
disturbe a *op* alon, Carpenter, *et. c.* to worke in any Citie, Borough, or Towne
Corporat, where he doth not dwell. *HP. 3. Ed. 6. 20.*

Keepers of Castles. 16 The King shall have authority to remove such as have by letters patents
the keeping of Castles, Fortresses, or Bulwarkes, giving to them as good lres,
wages, and profits, and of such like estates, and as good assurance in the same, as
they had in the other. *HP.*

Sir William Sherington. 17 A Confirmation of the Attainder of Sir William Sherington, who
was indicted, and attainted by confession, of high treason, for the counterfeiting
of Testons, to the value of *xy. op. l. R.* *3. Ed. 6. 13.*

Sir Thomas Deino. 18 Sir Thomas Deino, Lord Deino, Lord Admirall, attainted of high
treason, for attempting to get into his custodie the person of the King, and the
gouvernement of the Realme, for obtaining many offices, retaining many
men into his service, for making great provision of money and victuals, and
for endeavouring to marie the Ladie Elizabeth, the Kings Sister, and for per-
suading the King, in his tender age, to take upon him the rule and order of
himselke. All persons shall be paid such debts as the said Lord Deino did owe
them. *HP.* *3. Ed. 6. 14.*

19 A repeale of all Statutes, Lawes, Constitutions, and Usages, here-
tofoze made or used in this Realme, concerning fasting from any kind of
fasting daies meats. *So* person shall eat any flesh upon any Friday, or Saturday, or Sunday
day, in the Lent, nor in any day heretofore used commonly as a fast day with
in this Realme, upon paine of forfeiture of *s. 10.* But this Act shall not extend to
Saint *1. Ed. 6. 3.*

Saint Lawrence euen, Saint Marks day, or other day or euen being abrogat.
AB. Holy dayes 4.

20 An Incumbent of a spirituall living, making default of payment of his Tenth.
Tenth due to the King, after lawfull demand made thereof, shall be deprived
of that only Benefice, out of the which the same tenth is payable. AB. Ecclesiast.
Sec. 29.

21 All Lawes, Canons, Constitutions, &c. which doe prohibit marriage Matrimonie.
to any spirituall person, that by Gods Law may marie, shall be void. AB. Ma-
trimonie 2.

22 The penalty for customing of other mens goods, whereby the R. loseth Customing.
his duety. AB. Customs 19.

23 A repeale of so much of the statute of 32. H. 8. 38. as maketh that mari- Precontract.
age indissoluble which is contracted and solemnized in the face of the Church,
and consumate with bodil y knowledge, and fruit of child, notwithstanding
any Precontract of matrimonie. And the residue of the said Stat. confirmed.
AB. Matrimonie 1.

24 The tryall of a Banqueller, that poysoneth or striketh a man in one Triall.
County, which dieth in another. Whers in that case the appeal of murder shall
be brought. Trial of an accessory in one County, to an offence done in another.
AB. Trial 1. 2.

25 Countie Courts shall bee kept Monethly. The Sherife of North. County courts
thumberland shall keepe his Countie Court in Alnewicke. AB. Councie 1.

26 White Ashes shall not bee shipped or carried ouer the Sea. AB. White Ashes.
Ashes 1.

27 The penalty for forging, or putting to sale any gads of yron, like to the Steele.
fashion of gads of Steele. AB. Steele 1.

28 The force of fines lawed before the high Justice of Chester, or the De. Fines.
putie or Lieutenant, of Landes in Cheshire. AB. Fines 17.

29 An offendor in Buggerie being attainted by confession, verdict, or out. Buggerie.
lawe, shall suffer death as a felon, without losse of lands or goods, or corruption
of blood. RP. 1. M. 1.

30 The Paies and Jurats of Rie and Winchelsey, in the County of Duf. Rie and win-
sey, shal appoynt conuenient places to lay on all balast that shalbe cast out of a chelsey.
ny ship, or other vessell, which shal come within the roade there, to receiue any
lading. And all balast cast out of any ship, shalbe layed vpon the said appointed
place, vpon paine of forfeiture of xl. s. for euery Tonne of Balast cast out con-
trarie to the forme aforesaid. R.

31 All Recognisances of Statute Merchant, and Acton Burnell, ac- Statutes
knowledged before the Mayo. of Chester, shall be good in Lawe. AB. Sta-
tutes 1.

32 The statute of 32. H. 8. 30. concerning Icofailes, Displeading, Attur. Icofailes.
neyes, and of 35. Hen. 8. 6. touching graunting a Tales de Circumstantibus. Iturneyes.
at the Plaintifes request, made perpetuall. AB. Icofailes 1. Atturñ 13. Iurors
23.

33 Whosoener stealeth any Horse, Gelding, or Pare, shall not haue the Stealing a
benefit of his Clergie, or Sanctuarie. AB. Clergie 13.

34 The Sherife of Northumberland, before he receiue his Patent, or &c. Sherife of
shall put in sureties in the Exchequer, as all other Sherifes doe. AB. Sherife
39.

35 A Confirmation of a Subsidie graunted by the Clergie to the King, of Subsidie.
xl. s. in the pound, to be paid in fy. yeres. RP. Clergie.

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- Reliefe.** 36 A confirmation of a Reliefe graunted to the King by the Temporalitie, out of sheepe, clothes, goods, debts, &c. to be paid in three yerres. AL. 3. & 4. Ed. 6. 23.
- Brasse.** 37 No person shall load or ship, to the intent to carie beyond the Seas any Brasse, Copper, Latten, bell mettall, &c. He that shippeth them, shalbe bound to discharge them within this Realme. None of the same mettall shalbe shipped, but where there is a Customer. AB. Brasse 1. &c.
- Calice.** 38 The streets, laynes, wayes, and causeyes in Calice shall be paved. And all the houses there shalbe covered with tiles, or slates. R.
- Pardon.** 39 The Kings generall and free Pardon confirmed by Parliament, Except &c. EXP.

Statutes made at the Session of Parliament holden by pro-
rogation at Westminster, 4. die Novembris, Anno 3. Ed. 6. &
Anno Domini 1549.

- Custos Rot.** ¶ 1 The Lord Chancelor of England, or Lord Keeper of the great Seale, shal appoint the Custos Rotulorum in every shire of England, and Wales. AB. Custos Rotulor 1. 37.H.8.1.
- Cloth.** 2 In every towne not corporat where Cloth shalbe made, the Justices of Peace shal appoint overseers for the true making of wollen Cloth. The overseers authority. A penalty for refusing to be overseer, or for not searching, or for interrupting overseers. Dying of cloth. Occupying of yron cards or pickards. The measure of cloth AB. Drapery 45. 46. 47. 48. 49. 50. 65. 66. 67. No cloth shalbe strained or stretched above a yard and half in length, and a quarter of a yard in breadth. AL. 5. Ed. 6. 6. 39.Eliz. 20. 43.Eliz. 10.
- Approuement** 3 Every person which shall bring an Assise upon any branch of either of the Statutes of 20.H.3.4. or 11.Ed.1.46. touching approuement of Wastes &c. shal have their damages trebled. To what houses or grounds the same Statute shal not extend. AB. Approuement 5. 7.
- Exemplificat.** 4 An Exemplification of the Kings letters patents under the great Seale, shall be of as good force, as if the Letters patents were shewed. AB. Exemplification 1. 13.El.6.
- Unlawfull assemblies.** 5 It shalbe high Treason for twelve persons, or above, being assembled together, to attempt to kill or imprison any of the H. Council, or to alter any Lawes, and to continue together by the space of an houre, being commanded by a Justice of Peace, the Sheriffe, or Mayo, &c. to retire. And it shalbe felony for twelve or above to practise to destroy any Parke, Pond, Conduit, or Dovehouse: or to have common, or way in any ground: or to pull down any houses, barnes, milles: or to burne any stacke of corne: or to abate the rents of any Lands, or the prices of any Victuall, and to continue together an houre, being commanded by a Justice of Peace &c. to returne &c. R.P. 1. M. 12.
- Leather.** 6 All artificers using the cutting of leather may buy and sel all tanned leather curried, or not curried, so that the buiers do convert the same into any kind of wares made of tanned leather, notwithstanding the Statute of 2. & 3. Ed. 6. 9. EXP.
- Wild-fowle.** 7 A repeale of so much of the Statute of 25.H.8.1. as concerneth the taking of Wild-fowle with Nets or other Engines: & the residue of the same Statute confirmed. AB. Wild-fowle 1.
- Sewers.** 8 The Statute of 3.H.8.5. touching Commissions of Sewers, made perpetual. Summes of money rated by vertue of the said Commission upon any of the Kings lands, shall be leuyed by distress, or otherwise. What fees shall be

be payed for any such Commission: or Dedimus potestatem sued out vnder the Seale of the Duchie. AB: Sewers 1.8.19. A Commission of Sewers shal continue five yerres. AL. 13. Eliz. 9.

9 No person shall buy any rawe Hides or Calues skinnes to sell againe Rawe hides. vntanned, vpon paine to forfeit for euerie skinne vi. s. viij. d. RP. 5. Elizabeth. 8.

10 All Bookes called Antiphoners, Missales, Gradles, Portuallies, Pri- Bookes. mers in Latine or English, and other Bookes vsed for seruice in the Church, (saueing such as shall bee set forth by the Kings authoritie) shall be clearely abolished. Euerie person that shall haue in his custodie any of the Bookes aforesaid, or any Images grauen, painted, or carued, taken out of any Church Images. or Chappell, shall deface the Images, and deliuer the Bookes to the Mayors, Constables, or Churchwardens, to bee by them deliuered to the Bishoppes, Chauncelloz, or Commissarie, to be openly burned or defaced. But this shall not extend to any Image or picture graued vpon any Tombe, which hath not bene commonly reputed for a Saint. But any person may keepe Primers set forth by King Hen. the eight so that Inuocation to Saints be blotted forth. REP. 1. M. 2.

25. H. 8. 19.
27. H. 8. 15.
35. H. 8. 16.

11 The King during thre yerres shall haue authoritie by the aduice of his Ecclesiastical Councell, to name xxy. persons, to examine the Ecclesiasticall Lawes, and Lawes. to gather & compile such Lawes, as shalbe thought to him, his Councell, and them, conuenient to be practised within this Realme in all Spirituall courts: so that any law to be set forth be not contrary to any common Law or Statute of this Realme. EXP.

12 Such forme of making and consecrating of Archbishoppes, Bishops, Bishops. Priests, Deacons, and other Ministers of the Church shall be vsed, and none Priests. other, as by fire Prelates, and fire other men, learned in Gods Law, (to be appointed by the King) or the most number of them, shall be denied and set forth vnder the great Seale, before the first day of Aprill next. RP. 1. Ma. 2.

2. & 3. Ed.
6. 17.

13 Sir William Sherington of Laicoke in the Countie of Wilt-shire Sir William Knight, attainted of High Treason (whom the King hath pardoned) shalbe Sherington. restored in blood. RP.

2. Ed. 6. 18.

14 Marie Seimoz, daughter to Sir Thomas Seimoz, Lord Seimoz, Marie Seimoz Lord Admirall, and of Duene Katherine, shall be restored only in blood, but not to her fathers Lands. moz.

5. Eliz. 15.
33. H. 8. 14.

15 The penaltie for publishing any phantasticall or false Prophecie, vpon Prophecie. occasions of Armes, fields, Beasts, &c. to the intent to make Rebellion, Distention &c. EXP.

2. & 3. P. &
Mar. 5.

16 A Repeale of so much of the Statute of 1. Ed. 6. 3. as tendeth to make Vagabonds. The Statute of 2. Hen. 8. 12. shall be reuined, which doth appoint how impotent and aged persons shalbe relieved, and vagabonds punished. And all other Statutes made for the punishment of Vagabonds, slauers, aged, and impotent persons, and euerie clause and sentence in enerie of them containned, shall be repealed. Common Labourers in husbandrie which Repeale. doe loiter, and be idle, when they haue reasonable wages offered, shall bee punished as Vagabonds. Paymed, lamed, soze, aged, and impotent persons shal be relieved and cured, and habitations provided for them, by the deuotion of good people of that Citie, Towne, or Village where they were borne, or haue last dwelt thre yerres. A beggers child above five yerres of age, may be taken into seruice by any that will. REP. 14. Eliz. 5.

17 The Statute of 31. H. 8. 12. touching the wrongfull hunting or entrie Hunting into

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into any Forest, Chase, or Parke of the Kings, or etc. or into any other ground of his, used for the nourishing of Deer, and of 32.H.8.11 concerning the unlawful killing of any Deer within any Parke, Chase, etc. renewed for three yeares. *HP.*

For farmers.

18 The Statute of 2. & 3. Edw. 6. 5. touching the Kings release of *For* *fermes* to Cities, Boroughes, etc. for three yeares, confirmed for the first yeare onely, & repealed for the last two yeares. *HP.*

Cattell.

19 No cattell shall bee bought, but in open faire, or Market, *sa.* 1.Jac.25. using by a Butcher, or for provision of Household, Teamme, or Dairie. *AB. Cat-tell 2.*

Artificers.

20 So much of the Statute of 2. & 3. Ed. 6. 15. repealed, as concerneth the deniall of certaine Artificers, to worke in Cities or Townes where they dwell not.

Butter and Cheese.

21 Butcher or chiefe shal not be bought to be sold againe, except it be by *res.* 1.Jac.25. taile, in open shop, faire, or Market. *AB. Butter & c. 1.*

Artificers.

22 No clothmaker, Fuller, Shearman, Weauer, Taylor, or Shoemaker, shall retaine in any of the said Crafts a Journeyman, to worke by tayle worke, or by great, for any time under one quarter of a yeare. And euery Journeyman being required, shall serue for a quarter of a yeare, halfe a yeare, or a whole yeare. Euerie person of any of the sayd Crafts, which shall haue three Apprentizes, shall keepe one Journeyman. Seruants in Husbandrie, and Bargemen shall serue by the whole yeare, and not by day wages. *HP. 5. Elizab 4.*

Reliefe.

23 A reliefe granted to the King out of Sheepe, and Clothes, by the Statute of 2. & 3. Edw. 6. 36. released. And the Reliefe granted of and for

Subsidie.

goods, shall continue. And a Subsidie granted to the King of ry. 8. in the pound of goods, to be paid after the three yeares mentioned in the said former statute. *HP.*

Pardon.

24 A Confirmation by Parliament of the Kings free and general pardon: Except etc. *EXP.*

Statutes made at the Session of Parliament holden vpon

prorogation at Westminster, 13. die Januarij, Anno 5.

Edw. 6. & Anno Domini

1551.

Common Prayer.

¶ 1 Euerie person shall resort to his Parish Church, or Chappell according to the accustomed etc. vpon euerie Sunday and Holie day. The Booke of Common Prayer is perused, and set forth by authoritie of this Parliament: And a forme of making and consecrating of Archbishops, Bishops, Priests, and Deacons. The penaltie for beeing present at any other forme of Common Prayer, Administration of Sacraments, or making of Ministers, is for the first offence six moneths Imprisonment, for the second twelue moneths Imprisonment, and for the thirde, Imprisonment during his life. *AB. Sacraments 2.*

Wagabonds. 1507.

2 The Statute of 22.H.8.12. & 3. & 4. Edw. 6. 16. touching Wagabonds and idle persons, renewed. The Poore and Impotent people of euery Parish, shall be relieved with that, which euerie inhabitant of his charitable deuotion will weekly giue *HP. 14. Eliz. 5.*

Holy daies.

3 Which daies onely in the yeare shalbe Holy daies, and which shalbe fasting daies. *AB. Holy daies 1. & c. S. 1. Ma. 2. & 1. Jac. 25. & Quere.*

4 The

- 4 The severall penalties for chiding, smiting, or drawing of a weapon, to strike another in a Church or Churchyards. AB. Fighting. 2. 3. 4. Fighting.
- 7 H. 8. 1. 27. H. 8. 22. 5 So much Land shall be put in Tillage, and so continued, as was at any time in Tillage (and so kept fours yeres) sithence Anno 1. H. 8. upon paine, the Offendor to forfeit five Shillings an Acre. But this Act shall not extend to any land converted, or to be converted into pasture for the maintenance of the house of any person: For to Land that hath commonly been pasture 40. yeres last past: For to wast Grounds, Heathes, common Downes, Fennes, Mores or Marshes, that have not bene commonly tilled 40. yeres last past: For to any Marreine for Conies, or Parke for Deere: For to any ground stubbed: For to any salt or surrounded Marshes: For to any ground inclosed by the Kings Licence: For to any Orchard, Gardeine, Pole, or Pond-yard: nor to any Meadow-grownd yearly mowen for Hay: For to any Land set with Waston or Hoppes, or sowne with Hemppe, Flaxe, Clove, or Spawder, or sowne with Acornes, or set with Wood, during such time as the same shall be used to the intents before specified. Neither shall this Act extend to any that hath, or within one yere shall convert so much Pasture into tillage within the same Parish, Towne, Village, or Hamlet. 1. Eliz. 2. Tillage.
4. P. & M. 5. 6 At what length, breadth, and weight, severall sorts of Clothes ought to bee. The severall forfeitures, if the same bee faile. Searching and sealing of Cloth. AB. Draperie 5. &c. A repeal of all former statutes, concerning the making, dying, dyelling, pressing, searching, or sealing of any Clothes, mentioned in this Act. Clothes.
2. & 3. P. & M. 13. 1. Edw. 6. 6. 7 What persons onely may buy Wools, and to what purposes. At what time of the yere a Merchant Stranger may buy Woll. How long any person may keepe his woll unsold. AB. Wools. &c. Wools.
2. & 3. P. & M. 11. 8 No person shall weare or make, or put to weare, or making, any broad woollen cloth to be solde, unless he hath been apprentice to the same occupation, or been practised thereto by yeres before, upon paine of forfeiture of all the cloth so wovnen. AL. 1. M. 7. Weaver.
1. Ed. 6. 12. 9 No person robbing any house, builded, or tent, by day, or night, shall have the benefit of his Clergie. AB. Clergie 13. Clergie.
- 10 The Statute of 27. H. 8. 3. shall stand in full force, which taketh away the benefit of Clergie from him which is attainted in one county for felony committed in another, if he might not have had his Clergie in that other, notwithstanding a claime composed in the Statute of 1. Ed. 6. 12. AB. Clergie 17. Clergie.
16. H. 8. 11. 13. Eliz. 1. 14. Eliz. 1. 11 It shall be High Treason for any person directly to affirme by writing, printing, painting, carving, or granting, that the king is an heretike, schismaticke, Tyrant, Infidell, or usurper of the Crowne: Or rebellion, to detain from the King any of his Castles or holdes, or any of his Shippes, ordnance, artillerie, or other fortifications of warre. 1. Eliz. 1. M. 1. Before whom treasons shall be tried that be committed out of the Realme. Procces of Outlawrie awarded against offenders in treason being out of the Realme, shall be effectual in law. AB. Treasons 10. 11. Treason.
1. Ed. 6. 12. 12 The wife shall not be endowed if her husband be attainted of Treason. AB. Dower 3. Treason.
1. Jac. 15. 2. & 3. Ed. 6. 21. 12 The marriage of Priests and other spiritual persons shall be adjudged lawful. Their children shall be legitimat. They shall be tenants by the courtlee after the death of their wives, and their wives shall be endowed of their lands. AB. Matrimonie 5. 6. 7. Marriage of Priests.

King Edward the sixth.

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|--------------------------|--|--------------------------|
| Religious persons. | 13. Queer religious person shall be adjudged as heir, as inheritable to his auncel, only from the time of his bequeynment. AB. Abilic 3. | 11.H.8.6. |
| Forefallers. | 14. Who shall be adjudged a Forefaller, who a Regrator, and who an engrosser. The punishment of them. What persons may regrate, and ingrosse, and for what causes. AB. Forefallers 1. &c. No person may buy cattell, and sell them againe alive within five weekes. AB. Carrell 1. | 13.Eliz.5.
5.Eliz.12. |
| Leather. | 15. What persons, and for what purposes, may buy and ingrosse tanned Leather, and sell the same againe. No person shall transport shewes, Bots, &c. AB. Leather 3. &c. | 1.M.8.
1.Eliz.8. |
| Offices. | 16. The penaltie for buying or selling of some sort of Offices. And what Offices may be graunted as before, and by which persons. AB. Offices 4. f. 6. | |
| Continuance of Statutes. | 17. Generall Statutes made in the reignes of King Henrie the eight, and King Edward the first, revised, and continued untill the last day of the next Parliament. AB. | |
| English Ships. | 18. An alteration of the Statute of 4.H.7.10. restraining the bringing of Golde, or Silver, or Wolle, or other into this Realme, but in Englishmen's ships. | 5.Eliz.5.
1.Eliz.13. |
| Money. | 19. The penaltie for exchanging, by giving or receiving for money more then it is warrant. AB. Money 1. | 25.Ed.3.12. |
| Usurie. | 20. No person by any means shall lend or forebear any summe of money for any manner of usurie, or increase, to be received or hoped for, above the sum lent, upon pain to forfeit the summe lent, and the arrears, imprisonment, and fine at the Kings pleasure. AB. 13.Eliz.8. | |
| Tinker, Pedler. | 21. No Tinker, Pedler, or petty Chapman, shall wander abroad from the Towne where he dwelleth, or exercise the trade of a Tinker, but such as shall be licenced by two Justices of Peace, or more, under their hands and Seales, upon pain of fourteene dayes imprisonment. AB. 1.Jacob. | |
| Signill. | 22. Whosoever occupieth any Signill in the lordship of a hollen cloth, shall forfeit to the AB. Draperie 66. | |
| Upholster. | 23. What stuffs shall be put in Featherbeds, Bolsters, Pillowes, Quilts, Mattresses, and Cushions. AB. Upholsters 1. &c. | 11.H.7.19. |
| Coverlets. | 24. Who may make fells, Coverlets, Bedcovers, or Dormitories in Houses, or Hostels: And in what places they may be made. AB. Coverlets 5. &c. | |
| Alehouse. | 25. Justices of Peace may discharge common selling of Ale, or Beere. The penaltie for keeping of an Alehouse without Licence. AB. Alehouse 1. &c. | 11.H.7.3.
1.Jacob.9. |
| Lancashire. | 26. A Proclamation shall be directed to the Sheriffe of the Countie of Lancaster, upon an Writent attested out of the Kings Bench, or Common Place, against any person of the same Countie. The Sheriffe of Lancaster shall have deputies in those Courts. The Sheriffe's Receipture, for not returning a Writte of Proclamation. AB. Exigent 6. 7. 8. | 1.Ed.6.10. |

Statutes

Statutes made at the Parliament holden at Westminster

1. die Martij, Anno 7. Ed. 6. & Anno Dom. 1552.

¶ 1 Certaine Officers accomptant to the King, shalbe bound with surties for their true account, and payment. Auditors and Receivers shall make Precepts to particular accomptants. A remeibie for the Kings Receiver, or Bayliffe, for the leuying of the Kings Rents withholden. Within what time the Kings Receivers and some other accomptants shall make their accompts and payments AB. Accompt and debtes &c. 10. &c.

Accomptants
to the King.

2 The Court of Augmentations was erected by the Statute of 27. H. 8. 27. The Court of first fruits by the Statute of 32. Hen. 8. 45. The Court of Wards by the statute of 32. Hen. 8. 46. And the Court of generall Surueyours by the statute of 33. Hen. 8. 39. After which the said King H. 8. did dissolve the said Court of Augmentations, and the Court of generall Surueyours: and the Officers of the same Courts did surrender their patents & offices to the king. And after the said King Henric the eight by his Letters Patents created one other court, called the court of Augmentation & Revenues of the Crown, & appointed diuers Officers of the same. Which Letters Patents be confirmed & shalbe as good, as if they had bin made by Act of parliament. The King may at any time during his life, by his letters patents under the great seale, alter, change, unite, transpose, dissolve, or determin all or any of the said Courts, and reduce them to one, two, or more, or to any other Court of Record, or erect any other new court or courts. &c.

Courts.

Augmentat

1. M. 10.

1. Ed. 6. 8.
27. H. 8. 17.
37. H. 8. 10.
35. H. 8. 14.

1. Eliz. 4.

3 A Confirmation of all Letters Patents made by King H. 8. sithence 4. die Februarij. Anno 27. of his reigns, & by R. Ed. 6. sithence 28. die Januarij, Anno 1. of his reigns, or to be made during his life, notwithstanding his non-age, or not reseruing of Revenues, Rents or Tenths. AB. Patens 22.

Patents.

4 Collectors of Tenths shall be bound to save the Bishops harmelesse against the King, for all manner of their accounts and payments. S. 14. Eliz. 7. & Q. And they shall abide no longer in their Offices, then the Bishop graunto: shall doe in his See. AB. Collector 1. Which is the day wherein the Tenths of all spiritual persons shalbe paid to the King, and the penalty of Recusants. AB. Ecclesiastical 19.

Collectors of
Tenths.

5 The prices of all sorts of Wine by small measure. Who may keepe vessels of Wine to spend in their houses, and who not. &c. 1. Jac. 25. In what cities and Townes Wine may be sold by retails. Wintners shall not retails Wine but by Licence. How many Taverns may be appointed in euerie Citie, Borough, Towne, &c. AB. Wines 6. &c.

Wines.

6 The Statute of 17. Ed. 4. 1. which maketh it felonie to carrie out of this Realme any Coine, Plate, Jewels of gold or silver, (without the Kings Licence) remiued for xx. yerres. &c.

Monny.

43. Eliz. 14.
34. H. 8. 3.

7 What shall be the Assise of fuell of all sorts. None shal buy fuell, but which will burne, or retails the same. AB. Fuell 1. 6. A repeale of all former statutes touching the Assise of fuell.

Fuell.

8 The Statute of 12. Ed. 4. 5. prohibiting the fulling or thicking of Hats or Caps, remiued for 5. yerres. &c. & &c. 1. Ja. 25.

Fulling caps.

6. H. 8. 8.
5. H. 8. 1.

9 Euerie piece of Cloth called white pinned straits ready dressed to put to sale, shall containe in length at the least xx. yards, in breadth one yard, in weight 15. l. And euerie piece of pinned straits shal contain in length 15. yards, in breadth 3. quarters of a yard, & in weight viij. l. at least. Paice, flecks, & lambes wool may be put into any of the said clothes made in Deu & Cornwall. &c. 127. El. 18.

Cloth.

10 The

King Edward the sixth.

Gatfide.

10 The Towne of Gatfide, and all the inhabitants of the same, and a parcell of ground called the Salt Meadowes, adioyning therunto, and the whole water and bridge belonging to the same Towne, shalbe divided from the Bishoppe of Durham, and from the Liberties, and Countie Palantine of the same, and shall be united to the Towne of Newcastle upon Tyne, and adioyged to bee within the Countie and Shire of the same Towne of Newcastle, and shall be reputed as a part and member of the same. And the inhabitants of Gatfide shall be under the gouernement of the Mayoꝝ and Burgeses of Newcastle. The inhabitants of Gatfide shall continue their Common with, in the Bishoppe of Durham, and shall haue Wood in Gatfide Parke, for the reparations of their houses, and the bridge, as they haue had. *15. Ma. 3. Parl. 2.*

**Continuance
of Statutes.**

11 Generall Statutes made in the raignes of King Henric the eight, and King Edward the first, reuined, and made to continue vntill the last day of the next Parliament. *EXP.*

Subsidie.

12 A Subsidie and two Fiftiemes and Tenthes graunted to the King by *1. M. 17.* the Temporalitie, to be payed in two yerres. *EXP.*

Subsidie.

13 A confirmation of a Subsidie of six Shillings in the pound, to be payed in three yerres, graunted to the King by the Clergie. *EXP.*

Pardon.

14 The Kings generall and free Pardon confirmed by Parliament: except *EXP.*

Statutes

Statutes made at the first Session of Parliament holden

at Westminster 5. die Octobris, Anno 1. Ma. & An.

Dom. 1553.

1.H.4.10.
1.Ed.6.12.

No act, deed, or offence, being by any Act of Parliament made Treason, petit Treason, or misprision of Treason, by words, writing, c. phering, deeds, or otherwise, shall be adjudged so to be; but only such as be declared to be Treason, petit Treason, or misprision of Treason, by the Stat. of 25. Ed. 3. 2. All offences made felonies, or limited to be within the case of Præmunire, by any Stat. made since the first yere of the reign of H. 8. not being felonies before, nor within the case of Præmunire, shall be repealed and void.

Repeale of
Treasons.

Felonie.
Præmunire.

Statutes made in the last Session of Parliament holden

upon prorogation at Westminster 24. die Octobris, Anno

1. Ma. & Anno Dom. 1553.

For Everie Decree, Sentence, and Judgement of Divorce betwene H. 8. and Queene Katherine his wife, and all Proses commenced, made, or promulged by Th. Cardinal, then Archbishop of Cantuarie; or any other, whereby the said marriage was declared to be unlawfull, shall be void. And the Stat. of 25. H. 8. 2. and 28. H. 8. 7. and all other Acts of Parliament, whereby the said marriage was declared to be illegitimate, or the said marriage betwene the sayd H. 8. and Q. Katherine against the word of God, or unlawfull, shall be repealed: And the said marriage shall be adjudged to stand with Gods word, and taken to be good to all intents.

H. 8.
Q. Katherine.

A Repeale of the Stat. of 1. Ed. 6. 1. made against such as shal speake or remembre the offe the bodie and blood of Christ: And of the Stat. of 1. Ed. 6. 2. touching the election of Bishops: and of the Statute of 1. Ed. 6. 1. concerning the uniformitie of Service, and Administration of the Sacraments: and of the Stat. of 1. Ed. 6. 1. made to take away all Positive lawes, ordained against the marriage of Priests: and of the Stat. of 3. Ed. 6. 10. made for the abolishing of divers bookes and Images: and of the Stat. of 3. Ed. 6. 12. made for the ordering of Ecclesiasticall Ministers: and of the Stat. of 5. Ed. 6. 1. made for the uniformitie of Common Prayer, & Administration of the Sacraments: and of the Stat. of 5. Ed. 6. 3. made for the keeping of holie dayes and fasting dayes: and of the Stat. of 5. Ed. 6. 12. touching the marriage of Priests, and legitimization of their children. All such Divine Service, and Administration of Sacraments, as were most commonly used in England in the last yere of H. 8. shall be used through the Realme after the 11. day of December, An. Dom. 1553. and no other kind of Service, nor Administration of Sacraments, nor.

Repeale of
Statutes.

The penaltie for disturbing of a Preacher in the title of his Doctrine. Preacher.
AB. Preacher 1. The like penaltie for disturbing of a Priest saying Masse, or Masse.
such other Divine Service, or Sacraments, as was commonly used in the last yere of H. 8. for touching usually defacing, or contemning, or burning the most blessed, comfortable, & holie Sacrament of the bodie and blood of Christ, being in any Church, Chappell, Wyke, or parsonage, or other decent place: Or for breaking of any Altar, Crosse, or Crucifix in any Church, Chappell, or Churchyard. Crosse.

Preacher.

Masse.

Sacrament.

Crosse.

Queene Marie.

Assurances
made in the
Q. Janes
time.

4 All Statutes, Recognisances, Indentures, and other writings know-
ledged, or made, by or to any person thence the 6. day of Julie last past, and
before the first of August following, under the name of the reigns of any o-
ther than of the Quene, shall be as good in the law, to all intents, as if the name
of the Quene with her stile had been contained in the same writings, &c. But
this shall not make good any Letters Patents, Commissions, Grants, Leases,
or other writings, made by the Lable Jane Dudley.

L. Jane
Dudley.
Limitation.

5 Certaine writs and Aes wherunto the Statute of Limitation made 32.
H. 8. 2. shall not extend. AB. Limitation 7.

Treason.

6 It shall be high Treason to forge the Quenes Signe manuell, printe
Signet, or printe Seale, or any Coyne current within this Realme, which is
not the proper coyne of the Realme. AB. Treason 2.

Fines.

7 Fines leuied before the Iustices of the Common Place, shall be of force,
notwithstanding Proclamations be not duely made, by reason of the adourn-
ment of any Terme. AB. Fines 11.

Sheriffe.

8 So Sheriffe shall be Iustice of Peace of any Countie where and when
he is Sheriffe. AB. Sherifes 21.

Physicians.

9 Whosoever shall be committed to prison by the President of the Col-
ledge of the Physicians in London, or his Deputie, shall be received by the keeper
of the same prison. Foure Physicians, and the Warden of the Apotheca-
ries, shall search Apothecarie wares in London. Iustices of peace, Mayors,
&c. shall assist the President of the said Colledge. AB. Physicians 4.

Courts.

10 The Quene may at any time during her life, by her Letters Patents
under the great Seale, alter, change, unite, transpole, or dissolve, all, or any
of the Courts of Augmentations, of the first fruits and Tenths, of Wards,
of generall Surueypors, and of the Duchie of Lancaster, and reduce them
into one, two, or more, or to any other Court of Record, or erect any other
new Court or Courts. If the Quene shall annex any of the said Courts
vnto the Exchequer, then all things within the surty of the said Court so
annexed, shall be ordered in like manner to all intents, as the said Court
of Exchequer is or ought to be, by the Common Lawes and Statutes of this
Realme.

Hats & Caps

11 A Confirmation of the Statute of 31. H. 8. 9. touching the prices of
wollen Hats and Caps made beyond the Sea. Customing of the same Hats
and Caps. No man shall buy above one dozen of Hats or Caps made out of
the Realme. EP. 1. Lac. 2 3.

Riots.

12 The penaltie for twelue persons or about, being assembled together, to
commit several foule and vnlawfull acts, or any of them, being commaun-
ded by Proclamation by a Iustice of peace, to depart; yet to continue together
by the space of an houre, &c. EP. And a repeale of the stat. of 3. Ed. 6. 3. touch-
ing such vnlawfull assemblies.

Continuance
of Statutes.

13 Several Stat. made in the reignes of R. H. 8. and R. Ed. 6. renewed, and
made to continue untill the end of the next Parliament. EP.

Coales,

14 The Statute of 23. H. 8. 2. ordained for the making of Coales in seue-
rall Counties, shall be continued untill the end of ten yeares next after this
Parliament. EP.

S. Clerks in
Parke.

15 It shall be lawfull to the Parishioners of the late Parish of S. Clerks
in Stanegate, within the Citie of Poyke, and the Inhabitants that now are, or
hereafter shall be dwelling in the same, to build againe the same Parish Church
and the Churchyard, and therein to use Divine Service, Sacraments, &c. And
the Quene, her heires and successors, may present an able Clerke to the Vicar-
age of the same. R.

16 A Confirmation of the Attainder of high Treason of John Duke of *Attainder of*
 Northumberland, Thomas Cranmer Archbishop of Canterbury, William *Treason.*
 Parkes of Northampton, John Earle of Warwick, Sir Ambrose Dudley
 Knight, Giltford Dudley & Jane his wife, Henrie Dudley, Sir Andrew Dud-
 ley Knight, Sir John Gates Knight, and Sir Thomas Palmer Knight. *EXP.*

17 A Confirmation of a Release, which the Qu. by her Letters Patents *A Subsidie*
 made to the Tempozaltie, of a Subsidie given to King Ed. by the Stat. of 7. E. *released.*
 6.11. reseruing to the Quene the two fifthenes graunted by the sayd Sta-
 tute. *EXP.*

18 A Subsidie of Tonnage and Bondage graunted to the Quene during *Subsidie.*
 her life, out of diuers marchandizes. *EXP.*

Statutes made at the Parliament holden at Westminster

2. die Aprilis, An. 1. M. & An. Dom. 1554.

¶ 1 The Regall & kingly power of this Realme, & all the dignities & pre- *Crowne.*
 rogatives of the same, shalbe as well in a Quene as in a King. *AP. Crowne 1.*

2 The Articles of mariage betwene Philip Prince of Spaine & the Qu. *Philip.*
 rehearsed, and confirmed. The Qu. shall & may, only, and as a sole Quene, use *Qu. Maria.*
 and enjoy the Crowne and Soueraigntie ouer her Dominions and Subiects,
 with all the prerogatives, iurisdicions, manors, lands, &c. belonging to the
 same, in such onely estate, & in such large maner in all degrees, after the solemn-
 ization of the said mariage, as she now hath and enjoyeth the same, without
 any right, claime, or demand to be given, come, or growen vnto the said Prince,
 as Tenant by the Courtisie of this Realme, or by any other meanes. All gifts,
 graunts, Letters Patents, Leases, and other writings, which during the said
 mariage, shall passe and be made of Benefices, Offices, Lands, Re-
 uenues, and fruites, shall be intituled and made in the names of the sayd
 Prince and the Quene, and shall be signed with the signe manuell of the Qu.
 And those Graunts, Letters Patents, and writings which shall not be sig-
 ned with her signe manuell, shall be void. S. 1. & 2. P. & M. 1. this last byanch
 repealed.

3 A Repeale of one Stat. (not printed) made 7. Ed. 6. whereby the Bishop- *Bishopricke*
 ricke of Durham was dissolued, and all the lands and possessions thereof were *of Durham.*
 given to the King: and of one other Stat. made 7. Ed. 6. 10. whereby the towne
 of Gateside &c. was seuered from the said Bishopricke of Durham, and annex-
 ed to the towne of Newcastle. And Cuthbert Tunstall restored to the said Bi-
 shopricke, and to all the possessions and franchises thereof (sauiug to a Capitall
 mansion house in Thames Street in London, and five tenements therunto be-
 longing) and to the said towne of Gateside &c. *EXP.*

4 A Repeale of the Statute of 32. H. 8. 39. made touching the erection of *L. Steward;*
 the office and authoritie of the great Master of the Kings house, & the reestab-
 blishing of the name, office, and authoritie of the Lord Steward of the Quens
 house. *EXP.*

5 The Causeway paved with stone in the Counties of Dorset and Somerset, *Shirbozne*
 betwene Shaftesburie & Shirbozne, shall from time to time be made & amen- *Causeway.*
 ded by the owners and sermoys of the lands, lying nigh to the said Causeway, on
 either side of the same, and by the inhabitants of Shaftesburie and Shirbozne,
 and by the owners & sermoys of lands, and by the inhabitants within the so-
 reest of Wyllingham, and liberties of Wyllingham, and Alcester, and the Hun-
 dredes of Redlane & Shirbozne in the Countie of Dorset, and the Hundred of
 Wozethorne in the Countie of Somerset. And the Just. of Peace of the Coun-
 ties

Queene Marie.

- ties of Dorset and Somerset shall asseſſe the ſaid owners, ſervants, & inhabitants, towarde the ſaid repaire. And if the ſaid Juſtices ſhall reſuſe to put this Act in execution, the Lord Chancelor, or Juſtice ſer. ſhall upon requeſt make a Commiſſion to certaine diſcret perſons to put this Act in execution. *RP.*
- Biſſhop and Glouceſter ſay.** 6 The inhabitants of the cities of Glouceſter and Biſſow, within their ſeverall Liberties, and of the Hundreds of Barton next Biſſow, Cromball, Aſhe, Barkeley, Whitſtone, Thorneburie, and Penburie, in the County of Glouceſter, ſo; their ſeverall limits and Hundreds, ſhall be charged with the reparation of the way betwene Biſſow and Glouceſter. *RP.*
- Clothiers.** 7 Inhabitants in Cities, Boroughs, corporat Towns, or market Towns, where making of cloth was uſed at the time of the Statute of 5. & 6. E. 6. may make any manner of broad clothes, and put them to making, ſulling, dying, and ſharing, without impediment, ſo that the ſame cloth be of lawfull length, breadth, and weight, notwithstanding the ſaid Stat. of 5. & 6. Ed. 6. 8. AL. 4 & 5. P. & M. 5.
- Leather.** 8 It ſhal be lawfull ſo; the Currier, Shomaker, Cirdler, Sadler, Budget-maker, and all other Artiſicers occupying the myſterie of Leather buying, to buy all kind of tanned leather in ſaires and Markets, it being lawfully tanned and dyed, ſo that they buy it not to ſell againe to any, to be conveyed over the Sea. No Currier ſhall currie any hide, ſo; a Shomaker to make Shoes or Boots of, from the xrv. day of Julie untill the xrv. of March, but ſuch as ſhall be twice ſufficiently dipped in the panne. *RP.* 1. Eliz. 8. The Statute of 5. & 6. Ed. 6. 15. touching the buying of tanned leather, and ſelling the ſame againe, repealed.
- Cathedrall Churches.** 9 The Queene during her life ſhall have authoritie, by writing to be ſealed with the great Seale of England, to make and preſcribe to all thoſe Churches Cathedrall and Collegiat, that were created and eſtabliſhed by R. H. 8. and to the Deanes, Prebendaries, and Miniſters of the ſame, and to their ſucceſſors, ſuch Statutes and orders, ſo; the good governance of everie of them, and of the lands and poſſeſſions of every of the ſame Churches, as ſhal ſeeme good to her: and to alter, change, augment, or diminuiſh the ſame, as occaſion ſhal ſerve: And to ordaine and eſtabliſh Statutes, Ordinances, and Foundations ſo; the government of ſuch Grammar Scholes, as were created by R. H. 8. or by R. Ed. 6. and of the Miniſters & Schollers of the ſame: and to alter and tranſpoſe other Statutes and Ordinances there heretofore made. *RP.*
- Wnger. Grented.** 10 The repeale of a Statute (not printed) made An. 2. Ed. 6. touching the conſolidation and union of the Pariſh Churches of Wnger and Grented in the Countie of Eſſer. And they ſhall be ſeverall Pariſhes as they were befoze. And James Morys and his heires ſhall have the Preſentation of the ſaid Pariſonage of Wnger. *RP.*
- Sewers. Glamorgan.** 11 The Commiſſioners of Sewers in the Countie of Glamorgan, ſhall take order ſo; the ſaving of the land from deſtruction by ſands riſing out of the Sea. AB. Sewers 6. 23. H. 8. 5.
- Continuance of Statutes.** 12 Certaine Stat. made in the raignes of R. H. 8. R. Ed. 6. & Qu. Marie, revived, and continued untill the laſt day of the next Parliament. *RP.*

Statutes made at the Parliament begun at Weſtmiſter

11. die Nouembrii, An. 1. & 2. P. & M. & An.

Dom. 1554.

¶ 1 The Repeale of a branch of a Stat. made 1. M. 2. touching the ſigning of Letters Patents, Graunts, Leaſes, or other Writings, of any Lands,

Benefices, Offices, or other hereditaments, with the Quenes signe manuell. A Confirmation of all Letters Patents concerning any gift, grant, lease, or other writing, which sithence the marriage betwene the King and the Quene, have passed of any Benefices, Offices, Lands, Liberties, or other Hereditaments, in the names of the King and Quene, the warrants whereof were signed with the Quenes signe manuell, which shall be as good, as if the had been sole and unmarried.

4. & 5. P. & M. 1.

L. Patents.

24. H. 8. 13.

2 Whosoever shall weare silke in or upon his Hat, Bonet, Circle, Scabbard, Hose, Shoes, or Spur-leather, shall be thre monethes imprisoned, and forfeit 1. l. Except Appaies, Aldermen, &c. If any person knowing his servant to offend, do not put him forth of his seruice within xiiij. dayes, or doe retayne him againe, he shall forfeit 100. l. EP. 1. Jac. 25.

Apparell.

23. Eliz. 2.

3 A Confirmation of the Stat. of 3. Ed. 1. 33. and 2. R. 2. 5. touching telling of newes. AB. Newes 1. Iustices of peace in euerie Shire, Citie, &c. shall haue authoritie to heare & determine the said offences, and to put the said two Stat. in execution. AB. Iust. of peace 21. If any person shall be convicted or attainted for speaking maliciously of his owne imagination, any false, seditious, & slanderous newes, sayings, or tales, of the King or Quene, then he shall for his first offence be set on the Pillorie in some market place, nere where the words were spoken, and haue both his eares cut off, vnlesse he pay to the Quene an hundred pounds within one moneth after iudgement giuen, and also shall be thre monethes imprisoned. And if he shal speake any such slanderous and seditious newes or tales of the speaking or report of any other, then he shall bee set on the Pillorie, and haue one of his eares cut off, vnlesse he pay 100. marks to the Quenes vse within one moneth after, and shall be one moneth imprisoned. And if he shall doe it by booke, rime, ballade, letter, or writing, he shal haue his right hand stricken off. And if any person being once convict of any of the offences aforesaid, doe afterward offend, he shall be imprisoned during his life, and forfeit all his goods and cattels. EP.

1. Eliz. 6.

23. H. 8. 10.
5. Eliz. 20.

4 The seuerall penalties for bringing Egyptians into this Realme, or for Egyptians, suing for licence for them to continue in England, or for them to remaine here. AB. Egyptians 1. &c.

25. H. 8. 2.

5 The penalties for transporting of coyne, butter, cheese, herring, or wood, out of this Realme, without lawfull authoritie: or for the carrying of the same into any ship to be transported: or for the carrying more then is licenced: or for the shipping of coyne, victual, &c. licenced at seuerall places. AB. Corne 1. &c.

Transporting
viuall.

6 A reuener of the Stat. of 5. R. 2. 5. concerning arresting of Hereticall Preachers, and of the Stat. of 2. H. 4. 15. touching repressing of Heresies, and punishment of Heretikes, and of the Stat. of 2. H. 5. 7. concerning the enormitie of Heresie and Lollardie, and the suppression thereof. EP. 1. Eliz. 1.

Heretikes.
Lollards.

7 No person dwelling in the countrey shall sell wares within any citie or towne corporat, by retails, but in open faires. AB. Marchants 11.

8 The whole bodie of this Realme reduced and receiued into the vnitie of Christs Catholike Church, & the obedience of the Sea Apostolike of Rome, & assoiled & deliuered from excommunication, interdictions, &c. which hath hangged ouer their heads for their defaults, since their Schisme. A repeale of all statutes, articles, & prouisions, made against the sea Apostoliks of Rome, sithence the 20. yeare of R. H. 8. EP. 1. Eliz. 1. A Confirmation to the Qu. & all others, of all manors, lands, tythes, & other hereditaments of the late Monasteries, Colleges, Chantries, Bishopricks, & other Ecclesiasticall houses, which came to the hands of R. H. 8. or R. Ed. 6. by dissolution, surrender, forfeiture, or otherwise. AB. Monasteries 32.

Sea of Rome

Monasteries.

2. Eliz. 1.

King Philip and Queene Marie.

Traiterous Swords.

9 If any shall pray, or desire, that God will shorten the A.u. dayes, or take ^{23. Eliz.} her out of the way, or any such malicious prayer, amounting to the same effect, he, his procurators, and abettors, shalbe abindged Traitors. **EXP.**

Treason.

IO It shal be high Treason to compass the death of the king, or the quene, 23. Eliz. 1.
or to depriue either of them of the Title or kinglie honour of this Realme: or
to affirme, that any other than they, and the heires of her bodie, ought to be
king or quene. An order for the government of the quenes issue. EXP. Triall
of Treasons shall be accordyng to the course of the Common Lawes. AB. Treas.
son 13. 33. H. 8. 23.
34. H. 8. 4.

Counterfeit Money.

11 It shall be hygh Treason to bring into this Realme any counterfeit money, like to the coyne of other Realmes, permitted to be currant within this Realme. AB. Treason 3.

Diskette.

12. No Distresse shall be taken forth of the Pound, where it is taken, nor
impounded in several places. The penaltie for taking more for poundage than
is due. AB. Distresse 12. The Sherife shal appoint foure deputies to make Re-
plevyns. AB. Sherifs 22.

Bailment.

13 The manner or bailment by Just. of peace of any persons arrested of felonie, or suspicion of felonie, of the taking & certifying their examinations, and of binding others to give evidence against them. AB. Just. of peace 106. 3.H.7.2.
2.&3.P.&M.10.
What thing is requisite to be obtained, to remove any prisoner, or Recognisance, by Habeas corpus, or Certiorari. AB. Remouing &c. 1.

Boxwich.

14. Russell Wattens, Wattens Hewries, and Fustians of Naples, shall be made in Norwich, and shalbe called Norwich Wattens, and Norwich Fustians. And there shall be a bodie Copozat, and foure Wardens yearly chosen and sworn, to view, search, and fix all the Russels, &c. made in the said citie, during the said peace. R.

15 fields.

15 What forfeitures, fines, profits, liberties, and franchises, Lords Spar- 27.H.8.26.
chers Spiritual and Temporal in Wales, shall have of their tenants. AB:
Wales 122.

Continuance of Statutes.

16 Certain Statutes made in the reignes of H. 8. H. 8. Ed. 6. and M. 2.
reigned, and continued untill the last day of the next Parliament. EXP.

Marriage Lease,

17 The Stat. of 28.H.8.11. concerning the ratifying of a lease made by a spirituall person, of his benefice, to a lay person, for some yeares after the lessors resignation, or death, shall not extend to leases hereafter to be made. EXP.

Statutes made at the Parliament holden at Westminster

21. die Octorbis, An. 2. & 3. P. & M. & An.

Dom. 1555.

Prophamb.
Camberl.
Westmerl.
Durham.

¶ 1 Commiſſions ſhalbe awarded to certayne perſons, to inquire what, 23. Eliz. 4.
and how many Caſtles, Fortreſſes, Villages, Houſes, and Habitations, have
been decayed within the Counties of Roſſeſhire, Cumberland, Weſt-
moreland, and the Biſhoprick of Durham, & by whom & what meanes: and
how many are met to be reedified, and how many are fit to be made of new,
and in what places: and what parts of the ſaid Counties and Biſhoprick be
apt to be incloſed, and converted to tillage, or other neceſſarie manurance: and
what perſons be owners, Lords, ſervants, and poſſeſſors of the ſame, or claime
any intereſt therein, and what eſtates they have: And thereupon to take ſuch
order ſo; the reedifying of ſuch Caſtles, Houſes, &c. and ſo; the new erecting of
others, and ſo; the incloſing ſuch parts as ſhall be thought convenient. EXP. et
4. Jac. 1. EP.

5. Ed. 6. 5.
5. Eliz. 2.
39. Eliz. 1.
- 2 A Confirmation of the Statute of 4. H. 7. 19. touching maintaining of Husbandrie. houses of husbandrie, and land convenient for the upholding of Tillage. Commissions shall be awarded to contrarie persons, to inquire, heare, and determine all defaults and offences committed since An. 20. H. 8. or hereafter to be committed, contrarie to the tenor of the sayd Statute of 4. H. 7. and the Statute of 7. H. 8. 1. Which Commissioners shall and may bind by Recognisance in good summes of money to the King and Quene's use, the persons offending in any decayes or defaults, for the reedifying of decayed houses, for the converting of pasture into tillage againe, and for the destroying and diminishing of Conies in a ground in or nere any Coine field, not being lawfull warren. RP. 5. Eliz. 2.
7. Jac. 8.
13. Eliz. 25.
- 3 For thyscore share shepe kept in any severall ground, and for ten beasts Cattell there fed, shall be kept one mulch Cote. And for fiftyscore share shepe shall be reared one Calfe yearly. AB. Cattell 3. 4.
- 4 The payment of the first fruits of Spirituall livings to the Quene, shall cease. The yearly tenthes heretofore payed to the Quene by the Statute of 25. H. 8. 3. shall be employed to other godly uses. Parsonages impropiate, Tythes, Glebe lands, and other Ecclesiasticall livings, renounced by the Quene. But this Act shall not extend to Tenthes reserved upon Letters Patents. RP. 1. Eliz. 4.
- 5 The Stat. of 22. H. 8. 12. & 3. & 4. Ed. 6. 16. concerning Beggars, Vagabonds, and idle persons, shall be put in execution. Reliefe for the aged and impotent poore in euerie Parish, shall be gathered weekly, of the charitable deuotion of the inhabitants. RP.
- 6 Purueyours Commissions for the taking of victuals, shall endure but six monethes. In their Commissions, the Counties where they shall take, and the portion, and number of the victuall to be taken, shall be expressed. Purueyours dockets shall be deliuered to the high Constables, and to the Iustices of P. AB. Purueyours 25. &c.
31. Eliz. 11.
- 7 In all faires and Markets a place shall be appoynted for the sale of horses. When, where, and of whom toll shall be taken for horses. How they shall be ridden & shewed. A note shall be taken of horses sold in a faire. AB. Fairs 4. 5. 6.
5. Eliz. 13.
18. Eliz. 9.
29. Eliz. 5.
- 8 Highwayes shall be yearly amended, plough-holders and cotagers shall be charged towards the repaire of them. Purueyours of that worke, their duetie and accompt. AB. Highwayes 1. &c.
- 9 Euerie licence or placard made to any person for the hauing or keeping of any bowling allies, dicing houses, or other vnlawfull games, shall be void. EXP.
1. & 1. P. & M. 17.
- 10 Iustices of peace shall examine those persons arrested of felonie, which they doe commit to prison, & shall bind their accusers to giue euidence against them. AB. Iustice of peace 107.
5. Ed. 6. 8.
4. & 5. P. & M. 5.
- 11 A Clothier shall haue but one wollen loome, a Weauer not aboue two, a Fuller or Tucker shall haue none. No man shall be a Weauer, but which hath bene an Apprentice. AB. Draperie 69. 70. 71. 72. 73.
- 12 Clothes made in the Countie of Somerset to be put to sale, shall be first viewed, searched, & sealed, in Bridgewater, Taunton, or Charb. AB. Drap. 41.
5. Ed. 6. 7.
- 13 The inhabitants of Halifax may buy wooll, and sel the same againe. AB. Halifax. Wools 7.
- 14 It shall be lawfull to the Deane and Chapter of Hereford, within big. Hereford. peares next to reedifie foure sufficient mils, viz. two coine mils, and two fulling mils, vpon the river of Wlie, in or nere vnto the place where foure old mils did stand. RP.
13. Eliz. 21.
- 15 Purueyours shall not take coine or victuals in Cambridge, or Dorset, Purueyours.

King Philip and Queene Marie.

- 02 within five miles thereof. AB. Purveyors 32.
- Watermen.** 16 There shall be eight oversiers of Watermen rowing between Graues 1.Iac.16.
end, and Windsor, and what their office and due tie shalbe. AB. Boatmen 1.&c. 6.H.8.7.
- Bennet Smith.** 17 The benefit of Clergie shalbe taken from Bennet Smith, for being ac- 4.P.&M.4;
cessarie to the murder of Giles Rufford, before the murder committed, and for
procuring of the same. R.
- Commissions.** 18 A Commission of the peace, or Gaole delinuerie, alwarded into the Coun-
tie, shall not be Superedeas to a former like Commission granted to a citie or
towne or port of the same Shire. AB. Iust. of peace 109.
- Wolvike.** 19 A reuier of the Stat. of 22. H. 8. 11. which maketh it felonie to cut
downe new Wolvike in Parthland in Dorsethe, notwithstanding the Stat.
of 1.Ed.6.12.
- Duchie land.** 20 All Honours, Offices, lands, tenements, & hereditaments, which at a-
ny time since 28. die Januarij, añ 1. Ed. 6. were parcell of the possessions of the
Duchie of Lancaster, or which were vnted to the same by authoritie of Parli-
ament, Letters Patents, or otherwise, and which at any time since haue bene
graunted, aliened, sold, exchanged, or seuered from the said Duchie, by the said
King Edward the first, or by the King or Q. that now be, and which sithence
such grants or seuerance bene returned againe to the hands of the said K. & Q.
the first, or to the King and Quene in possession, reuerfion, remainder, or &c. by
attainder, escheat, purchase, or otherwise, and which now remaine in the hands
of the King and Quene, of any estate of inheritance, shall from the time the
same came and reuerted, be vnted to the Duchie of Lancaster, and shall be ad-
iudged for ever as parcell of the same. And all grants and leases of those lands, 37.H.8.16.
shall be made vnder the Duchie Seale. It shalbe lawfull to the K. and Q. and
to her heires and successors, by their Letters Patents vnder the great Seale,
to annere to the said Duchie of Lancaster, any Honours, Offices, Lands, &c.
not exceeding the yearely value of 2000. l. so that they be no parcell of the an-
cient inheritance of the Crowne, or of the Principalltie of Wales, or of the
Duchie of Cornewall, or of the Carle dome of Chester, or lying within the
Counties of Chester or Flint.
- Continuance of Statutes.** 21 Seuerall Statutes made in the raignes of K. H. 8. K. E. 6. and Q. M. re-
mained, and continued vntill the last day of the next Parliament. R.
- Subsidie Clergie.** 22 The confirmation of a Subsidie of vs. s. in the pound, graunted by the
Clergie to the K. and Q. to be paid in thre yerres. R.
- Subsidie Temporalitie.** 23 A confirmation of a Subsidie graunted to the K. and Q. by the Tempo-
raltie. R.

Statutes made at the Parliament holden at Westminster

20. die Januarij, An. 4. & 5. P. & M. & An.

Dom. 1557.

- Patents.** ¶ 1 A Confirmation of all Letters Patents, and other writings, made by 1.& 2.P.&
the K. and Q. or by the Q. sithence 7. Iulij, An. 1. M. or to be made 7. yeares af- M.1.
ter: And also of all assurances made by any person of any lands, tenements,
&c. to the K. and Q. AB. Patents 23.
- Armoz.** 2 So much of euerie Stat. heretofore made as do concerne only the finding
or keeping of hozse or armoz, & euerie penaltie and forfeiture touching only the
same shall be repealed. What number, rate, and proportion of hozses, armoz,
and weapons, each person is bound, and chargeable to keepe, in any respect, or
for any cause. R. 1. Iac. 2. 5.
- Souldier.** 3 The penaltie for a souldier to depart from his Captaine without licence:
03

- o; fo; not appearing at musters, o; fo; not bringing his best furniture. And of a Captaine fo; taking of money to release any person, being at the musters, o; Captaine. in service: o; to demand moze wages than is due. AB. Captains 3. 12. 14. 15.
- 1 & 3 P. & M. 17. 4 No person shall haue the benefit of Clergie which commaundeth, hireth, Clergie, o; counselleth another to commit any petit treason, robbery, murder, &c. AB. Clergie 6.
- 5 Ed. 6. 6. 5 The length, breadth, and weight of severall sorts of wollen clothes. The Clothes. penaltie fo; default thereof. The searching, sealing, and marking of wollen clothes. In what places onely such clothes as are to be sold may be made. AB. Draperie 5. 6. 10. 11. 12. 13. 14. 19. 24. 27. 33. 34. 36. 37. 38. 39. 42. 43. 53. 56. 62. 64. 75. 76. 77. 91.
- 6 Cuerie person bozne vnder the dominion of the French king, not being Frenchmen. denizen (other then such as the king and quene wil licence to remaine, shal depart this Realme, and not returne during the warres betwene the French king and the king and quene. The king and quene during the quenes life may vpon any misdemeano; proued, repeale by Proclamation any letters patents made to any French man to be free denizen, sithence An. 32. H. 8. And then the quene shall haue the said denizens lands during his life, but his heyre shall enjoy it after his death. EXP.
- 7 A Tales de Circumstantibus shalbe granted vpon request in a suit commenced vpon any penall Statute. AB. Jurors 24. Tales.
- 8 The penaltie fo; taking away a maid vnder xviij. yeres of age, without her gouerno; consent, o; fo; bestowying, o; contracting matrimony with her. And her fo;seiture fo; consenting. AB. Women 6. &c. I maid. abused.
- 9 Seuerall Statutes made in the raignes of H. 8. H. E. 6. and M. re Stat. contin. uined, and continued vntill the last day of the next Parliament. EXP.
- 10 A confirmation of a Subsidie of viij. s. in the pound, granted by the cler. Subsidie. gie to the king and quene. to be paid in foure yeares. EXP.
- 11 A confirmation of a Subsidie, and one sithene, granted to the king and quene by the Tempozaltie. EXP. Subsidie.

Queene Elizabeth.

Statutes made at the Parliament begun at Westminster 23. die Januarij, An. 1. Reg. Eliz. & An. Dom. 1558.

Repeale of Statutes.

Reuener of Statutes.

fozeine power.

Ecclesiasticall Commission.

The booke of comon prayer.

Q. Elizabeth.

first fruits, Tenthes.

Patronages of vicarages.

A Repeale of the Statute of 1. & 2. P. & M. 8. by which all Statutes, Articles and Provisions, made against the Sea Apostolike of Rome were made void: And of the Statute of 1. & 2. P. & M. 6. that reuined the Statute of 1. R. 2. 5. 2. H. 4. 15. & 2. H. 5. 7. provided for the punishment and repressing of Heresies, Heretikes, and Lollards, and of the said three Statutes. A reuener of the Statute of 23. H. 8. 9. touching Citations: And of the Statute of 24. H. 8. 12. concerning Appeals: And of the Stat. of 25. H. 8. 10. restraining the payment of the first fruits of Bishops to the Sea of Rome: And of the Stat. of 25. H. 8. 19. touching the Clergies submission to the king: And of the Stat. of 25. H. 8. 20. concerning the election and consecrating of Bishops: And of the Stat. of 25. H. 8. 21. touching exonerating the kings subiects from impositions paid to the Sea of Rome, and for hauing of dispensations within this Realme: And of the Stat. of 26. H. 8. 14. touching the nomination and consecration of Suffragans: And of the Stat. of 28. H. 8. 6. obtained for the releafe of those that haue obtained licence from Rome: And of so much of the Stat. of 32. H. 8. 38. as was not repealed by the Stat. of 2. Ed. 6. 23. And of the Stat. of 37. H. 8. 17. touching Doctors of the Ciuile Law: And of the Stat. of 1. Ed. 6. 1. provided against those which speake vnreuerently of the Sacrament of Christs bodie. All fozeine power shall be abolished. The penaltie for maintaining it. Ecclesiasticall iurisdiction annexed to the Crowne. Commissioners shall be assigned to execute Ecclesiasticall authoritie. What may be adiudged Heresie, & what not. The oath for the renouncing fozeine authoritie. Who shall be bound to take it. And the penaltie for refusing it. AB. Crowne &c. 2. &c.

2 The booke of Common prayer, and administration of Sacraments, set forth An. 5. & 6. Ed. 6. 1. with some alterations, shall stand in force. And all ministers shall vse the same, and none other. The penaltie for deprauing the same booke, and for vsing, or causing others to vse any other fozeine of prayer, and for not coming to the Church. AB. Sacraments 2. &c.

3 Quene Elizabeth is, & in verie deed, & of most mere right ought to be, by the lawes of God, & the lawes & Stat. of this Realme, our most rightfull and lawfull liege Ladie, and is lineally, rightfully, and lawfully descended of the blood royall of this Realme, according to the limitation and succession of the Crowne of this Realme, mentioned in the Stat. of 35. H. 8. 1. &c.

4 A reuener of the Stat. of 26. H. 8. 3. whereby the first fruits and tenthes of spirituall linings were given to the king. So much of all and euerie of the Statutes of 26. H. 8. 17. 27. H. 8. 8. 28. H. 8. 11. 32. H. 8. 22. 32. H. 8. 45. 32. H. 8. 47. 34. H. 8. 2. 34. H. 8. 17. 37. H. 8. 21. 2. Ed. 6. 20. 7. Ed. 6. 4. & of any other Stat. touching the order, lenying, true answering, or qualification of the said first fruits and tenthes, and of the rectories, parsonages, and benefices impropriat, and of the rents and profits thereof, and the charge, discharge, and alteration of them, or any thing tending thereunto, which were in force and vnrepealed, at and before 8. die Augusti, Anno 2. & 3. P. & M. shall be, and continue in force, and be obserued & put in execution, according to the purpoys of the same. And the Quene, her heires and successors, shall haue for euer the aduowsons, gifts, and patronages of all vicarages incident or belonging to the said parsonages impropriat, in the same sort and degree to

25. H. 8. 12.
28. H. 8. 7.

2. & 3. P. & M. 4.

to all intents, as the same were in the possession of the late Duke of Arles, before the said day of August: As Ecclesiasticall &c. 27.

1.3.1.P.8
M10.
13.Eliz.1.
17.Eliz.1.

If any person shall compass or imagine to depriue the Quene, or the heires of her bodie to be begotten, being King or Qu. of this Realme, from the stile and kingly name of the Crowne of this Realme: Or to destroy the Qu. or any the heires of her bodie, being King or Quene: Or to leue war against the Quene, or any the heires of her bodie, within her Dominions: Or to depose the Quene, or any of the heires of her bodie &c. from the Imperiall Crowne of this Realme: and the same imaginations shal utter by open words &c. Or shall publicly, or secretly say, That the Quene, during her life, is not, or ought not to be Quene: Or that after her death, the heires of her bodie ought not to be King or Quene: Or that any other person ought to be King or Qu. so long as any of the heires of her bodie shall be in life: Then such offender shall forfeit to the Quene all his goods and cattels, and the profits of his lands during his life. And if any person or persons shall by writing, printing, ouert deed, or ad, commit any of the offences aforesaid, it shall be adjudged high treason. The Qu. title.

13.Eliz. 2.

The penalties mentioned in the Stat. of 1.8.2. P. & M. 3. for speaking false and slanderous newes of the King or Quen, or for committing any of the offences expressed in the said Act, shall be expounded to extend to the Qu. that now is, and to the heires of her bodie. Treasons.

A remitt of the Stat. of 2.3. H.8. 16. making it felonie to sell, exchange, or dealing within Scotland, or to the vse of a Scottish man, any horse, &c. Scotland.

A reuier of the Statute of 5. & 6. Ed. 6. 15. limiting what persons (and for what purposes) may buy and ingross tanned leather, and sell the same againe, and who not. And a repeale of the Statute of 11 M.8. touching Curriers, Shomakers, &c. The Currier shall deliuer to the Shomaker the leather curried, which he receiues of him, within five dayes in Summer, and ten dayes in Winter, if hee may conveniently doe it. No Shomaker shall make any shoes or boots of any sorts leathers mingled, but onely of it selfe. Leather.

No person having tanned pounds linn, or rent, shall vse, or haue profit by the myserie of Tanning of leather, but an Apprentice, or a covenant servant brought vp in that Trade foure yeares: Neither shall any vse that Trade but in a Citie, Borough, Towne, Corporet, or Market Towne, where sellers shall be usually appointed, whithers he hath beene an Apprentice, or a covenant servant foure yeares, or the sonne and heire, or wife of a Tanner. Raw hides, Calue skinnies, tanned Leather red and untowought, shall not bee bought or sold, but in open faire or Market. Two perces called Tombes, shall be cut off every hide, to be conuented to sole leather, commonly called Backes. Both the Backes and Tombes shall be brought to faires & Markets to be sold. Searchers and Dealers of Leather shall register all bargaines for leather made in faires or Markets. The Statute of 2. & 3. Ed. 6. 11. reuind. Leather.

14.Eliz. 4.

It shall bee felonie to conuey, or procure to be conueyed, into any ship or other vessel, any leather tanned or untanned, or any salt, or untanned hides, or any backes, or sole leather, or any tallow, to the intent to transport the same over the Sea to be sold by way of merchandise. Transport.

At what time of the day, and at what place merchandise shall be laden or unladen. The Master of the ship shall giue notice to the Customer of his departing Leather.

Queene Elizabeth.

- departing. And the Custmer shall be advertised of all Marchandises brought in. AB. Marchants 5. 6. 7. 8. No man shall enter goods into the Customers shops in another mans name. The custome of sweet wines. AB. Customs 5. 18.
- Lin.** 12 The penaltie for stretching or impairing of linnen cloth. AB. Linen 2. 1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100.
- Ships.** 13 A repeale of the Stat. of 5. R. 2. 3. & 4. H. 7. 10. prohibiting the bringing in, or carrying marchandises into of this Realme, but in English ships. Currie person being owner of any goods, which in the time of peace shall ship, or discharge by way of merchandise any wares or marchandises (except spices, Rasse, Dutch, Tarr, or Cozne) out of, or into any ship, whereof the Ma. or some of her subiects be not possessors, proprietaries, and masters, and the mariners for the most part subiects to the queene; shall pay such custome, and subsidie for the same merchandise, as aliens booke out of the queenes obedience. There shall be no crossing of the sea with any boy, or plate, being an English subiects. S. 5. Eliz. 1. & 3. Eliz. 1. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100.
- Draperie.** 14 Which of the inhabitants of Bocking, Colchester, Cokshalt, and Dedham, in the Countie of Essex may use the making, weaving, or colouring of cloth or kerse, as they might have done before the Statute of 4. & 5. R. & M. 5. AB. Draperie 79. 1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100.
- Pron.** 15 What timber trees growing, in which places, shall not be converted to coales, or other fuel, for the making of yron. AB. Yron 1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100.
- Universall assemblies.** 16 The Statute of 1. M. 1. 2. made against unlawfull assemblies, shall be in force during the queens life, and to the end of the next parliament then next following, and shall extend to the queene, as it did to queene Marie. 2. 1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100.
- Fish.** 17 The penaltie for taking of the spawne or frye of any fish, or for taking of Salmones or Trout not seasonable. The length of fish which may be taken. What mathe errie net must be. AB. Fish 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100.
- Statutes.** 18 Severall Statutes made in the reignes of king D. 8. 1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100.
- Connage.** 19 A Subsidie of Lantage and Connage, granted to the queene during her life, payable out of divers marchandises. 2. 1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100.
- Subsidie.** 20 The confirmation of a Subsidie and the Assises granted to the Q. by the Temporalltie. 2. 1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100.
- Statutes made at the Parliament holden at Westminster**
12. die Januarij. Anno 3. Reg. Eliz. 1. Anno Domini 1562.
- Rome.** 1 The penaltie for maintaining the authoritie of the Bishop, or Dean of Rome. AB. Rome 1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100.
- Synodalia.** 2 The Statute of 4. H. 7. 19. 7. H. 8. 1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100.

in tillage and eared in any one yeare, and so kept foure yere, sithence the tith of Saint George the Martyr, Anno 20. H. 8. shall be eared and kept in tillage according to the nature of the soile, and custome of the Countre, by the occupier thereof, upon paines that euery offender shall forfeit 1. s. an Ace yearly, to the next in Remainder or Reuerſion for the terme of life, liues, or in taile: for the which he may distraine, or haue 1. B. 3. 3. And in his default by the space of one yeare, then he in the Reuerſion or Remainder in fee simple shall haue the same remedie. And in his default the immediate L. or of the sh. And in his default the M. or the M. and Inſarmer. But this Act shall not extend to any Land converted from Tillage into Pasture for the onely keeping of his owne hoxes, draught Oxen, Milne, or other cattell for the onely vicuals to be spent in his owne house, so that he hath not other sufficient pasture within 5. Miles: for to any park, warren of conies &c. *21. supra. 3. Ed. 6. 5. RP. 39. El. 1.*

3 A Reminer of the Statute of 22. H. 8. 12. and 3. & 4. Ed. 6. 16. touching relieving Poore, and impotent persons, and punishment of Vagabonds. The Poore and Impotent persons of euery Parish shall be relieved of that which euery person will of their charitis giue weekly. And the same reliefe shall be gathered in euery Parish by Collectors assigned, and weekly distributed to the Poore, for none of them shall openly go or sit begging. And if any Parishioner shall obstinately refuse to pay reasonably towards the reliefe of the sayd Poore, or shall discourage others: When the Just. of Peace at the Quarter Sessions may take him to a reasonable weekly summe, which if he refuse to pay, they may commit him to Prison. And if any Parish haue in it more impotent poore persons then they are able to relieue, then the Justices of peace of the Countie may Licence so many of them as they shall thinke good to begge in one, or more Hundreds of the same Countie. And if any Poore begge in any other place then he is licensed, he shall be punished as a vagabond, according to the statute of 22. H. 8. RP. 14. Eliz. 5.

Poore.
Vagabonds.

4 A Repeal of so much of all former Statutes as doe concerne the hysing, keeping, departing, working, wages, or order of seruants, workemen, artificers, and Labourers, and of the penalties touching the same. Certaine sciences, crafts, & occupations, wherein none shall be retained to serue vnder a whole yere. What sort of persons be compellable to serue in handy crafts, and what sort in husbandrie. The penalties for giving or taking of wages contrary to this Statute, and for putting away a seruant within his terme, or without a Quarters warning, or for a seruant to depart within his terme, or without a Quarters warning. The severall duties of workemen, apprentices, labourers, &c. AB. Labourers 1. & c. Just. of Peace 66. 67. 68.

Labourers.
Sernants.
Apprentices.

17. Eliz. 12.
27. Eliz. 5.

4. H. 7. 10.

5 It shall be lawful for any of the Quenes subjects to transport out of this Realme in any Ships of the subjects aforesaid, any Herring, & other Sea fish, to be taken vpon the Seaby any of the subjects aforesaid, and that without payment of custome. No price shall be set, or toll shall be taken, of fish taken in English mens ships. No French Wine, or Whollow wood shall be brought into this Realme, but in the Quenes subjects ships, sailing into the Isle of Man, &c. AB. Ships 1. 2. 3. 4. 5. No Purueys: shall take Sea fish from any without the owners consent, which taketh it in an English vessel: AB. Purueysors 24. What Herrings may be bought of strangers. Cod & Ling shall be bought nowhere in this Realme, and not in barrels. AB. Fish 13. 14. Owners, of ships, Owners, & shipwrights may take Apprentices. AB. Labourers 30. A repeal of so much of the Statute of 5. & 6. Edw. 6. 14. and of so much of all other Statutes as doe concerne the buying of Sea fish, viz. of ling, or mackerell, or Wine, Dyle, or Salt, to be brought into this Realme in any English mens

Sea fish.

English ships

Purueysors.

Cod & Ling.

Forcellers.

Queene Elizabeth.

| | | |
|----------------------------------|---|--|
| Eating of
Flesh. | Ship. AB. Foretellers 7. Flesh shall not be eaten upon Wednesdaies, nor upon any fith dayes, but by licence. EP. 27. Eliz. 11. Who may graunt licence to eat flesh upon dayes prohibited: To whom and upon what conditions. AB. Fish-dayes 1 &c. The Statute of 18. H. 6. 19. ordained to punish Soldiers departing from their Captaines without Licence, shall extend to Mariners and Gunners. A Mariner or fisherman shall not be compelled to serue as a Soldier, but in some cases. AB. Mariners 1. 2. 3. The penaltie for spreading of newes concerning the eating of flesh, or forbearing of flesh. AB. Newes 2. The prices of wines by final measure shalbe assessed by the Quenes proclamation. EP. 1. Lac. 2. 5. The Statute of 24. H. 8. 4. touching solwing of hempe and flaxe, shalbe reuised in euerie Countie, where the Quene by proclamation shall publish it to be commodious. EP. 3. 5. Eliz. 7. The seuerall prices of Cozne, when the same may be lawfully transported. AL. 1. Lac. 2. 5. | |
| Mariners. | | |
| Newes.
wines. | | |
| Hempe and
flaxe. | | |
| Cozne. | | |
| Selling
wares up
on trust. | 6. Whosoever shall sell or deliuer to any person (hauing not in possession Lands or Fees, to the cleare yearly value of 3000. L.) any forrein wares, not growen, or first wrought within the Quenes dominions, appertaining to the clothing or adorning of the body, for which wares, or the workmanship thereof, the seller shall not haue received the whole money, or satisfaction in hand, or within xxviii. dayes after the making or deliuerie thereof: The seller, maker, &c. shalbe without al remedie by order of any law, custome, or decree, to recouer any recompence for such wares, or the workmanship, whatsoeuer assurance he shall haue by band, suretie, promise, or patone of the partie or any other: And all assurances and bonds in that case shalbe void. EP. | 7. Lac. 1. 2.
38. Ed. 3. |
| Wares. | 7. Certaine wares which be not lawfull to be brought reauie wrought, to be sold, into this realme. AB. Merchants 3. | 3. Ed. 4. 4.
1. R. 3. 12. |
| Leather. | 8. Who may be a Tanner. The seuerall duties of Tanners, Curriers, and Shomakers in their wares, and workmanship. Where, when, and by whom Leather shall be searched, sealed, and sold. Wakes shalbe felled in barking time onely. A restraint of transporting of leather. A Repeale of diuers Statutes concerning leather & wares made of leather. EP. 1. Lac. 1. 2. | |
| Periurie.
contumacie. | 9. The seuerall punishments of those which shall procure, or commit wilful periurie. AB. Periurie 1 &c. A witness upon proces serued on him, & his charges tendered, shall appeare. AB. Writelle 1. | 29. Eliz. 5.
1. Lac. 25. |
| Servant. | 10. A manner of the Statute of 21. H. 8. 7. whereby it is made Felonie for a servant to inveigell his Masters goods of the value of fortye shillings or above. AB. Scaling 1. | 27. H. 8. 17. |
| Money. | 11. The clipping, washing, rounding, or filing for gaines sake, of any money currant within this realme shalbe high Treason. AB. Treason 5. | 18. Eliz. 7. |
| Badger. | 12. To what kind of person, and at what place, licence shalbe granted to be a Badger, a foder, a pauer, &c. AB. Badger 1 &c. | 13. Eliz. 29.
5. & 6. Ed. 6.
14. |
| Wapens. | 13. The Stat. of 2. & 3. P. & M. 8. Touching the amending of high wapens continued: And seuerall authorities added to the supervisors of the high wares for the amending of them. AB. Highwayes 1 &c. | 29. Eliz. 5.
18. El. 9. |
| Forging. | 14. The seuerall penalties for forging of Coines, the first, or second time, whereby anothers frehold, lease, annuittie, obligation, release &c. shalbe troubled, claimed, &c. AB. Forging 1. A repeale of all former Statutes made for forgery of Coines, writings, &c. & for the penalties of the same. | 1. H. 5. 3. |
| Prophecie. | 15. The penalty for publishing any false and phantastical Prophecie upon Armes, shields, Badges, &c. to the intent to make Insurrection, rebellion, &c. AB. Prophecie 1. | 33. H. 8. 14.
3. & 4. Ed. 6.
15. |
| Coniuration. | 16. The seuerall penalties of Coniuration, or Inuocation of wicked spirits, & of witch-craft, enchantment, charme, or sorcery. EP. 1. Lac. 1. | 33. H. 8. 8. |

2 E. 6. 29.

17 A Reuier of the statute of 25 H. 8. 6. whereby the committing of buggerie with mankind, or beast, is made felonie. AB. Buggerie 1.

Buggerie.

18 The authoritie of the Lord Raper of the great seale of England, and of the Lord Chancelor is, alwaies was, and ought to be one. R. Raper.

R. Raper.

19 In the Statute of 1. Edw. 6. 5. touching carrying of Horses out of this Realme, this Statute shalbe repealed, viz. (for their onely occupation in their iourneyes, and not to the intent to sell.) And the residue of the said Statute confirmed. AB. Horses 14.

Horses.

21 H. 8. 10.
1. & 2. P. &
M. 4.

20 It shall be felonie to be sene in the companie of those which call themselves Egyptians, or disguising themselves in their apparell or speech, to continue with them one moneth. AB. Egyptians 2.

Egyptians.

31 H. 8. 1.
3 Jac. 13.
7 Jac. 13.

21 The penalties for breaking or cutting out the head of any pole, moat, Stewer, &c. or for wrongful fishing therein: or for hunting in a park: or for taking of Haukes, or Haukes eggs out of anothers ground. AB. Fish 7. Haukes 1.

Fish.
Deare.
Haukes.

22 To what purposes pelts may be made, And to what end any may buy the skinne of a Stagge, Hynde, Bucke, Doe, goats, sawne, or hidde. AB. Leather 49. Whosoever shall ship any sheepskins, wolfsels, shagelings, moxlings, or the skinnies of any stagge, hynde, buche, Doe, sawne, or hidde, or the Leather made of any of them, to the intent to transport them, shall forfeit them, and 2. s. by. D. for euery sell. 8. Eliz. 14. for the sheepe-skins and Lambe-skinnes onely.

Pelts.

Transporting of fells.

23 The order of atwaring and returning the wryt of Excommunicato capiendi. What is to be done if the Excommunicate appeare, and what if he be not found The cause of Excommunication whereupon the wryt is to be atwared. AB. Excommunication 1 & c.

Excommunicacion.

13 Eliz. 25.

24 The Statute of 21 H. 8. 1. touching the making & repaying of Gaoles, shall be reuined, and continue ten yeres. And the J. of peace in the Counties of Pembroke, Glamorgan, Cardigan, Merioneth, & Pountgomery in Wales, shall haue power to doe & execute all things concerning the new making of Gaoles, as the Just. & other persons mentioned in the said Statute. 8. P.

Gaole &

35 H. 8. 6.
2 Ed. 6. 32.

25 In certaine cases a Tales de circumstantibus is to be graunted by the Just. at the great Sessions in the twelue Shires in Wales, & in the Counties Palantine of Chester, Durham, and Lancaster. AB. Iurors 23.

Tales.

26 Inrolments of wrytings indented of any bargain of manors, lands &c. lying within the counties of Lancaster, Chester, & Bishoprick of Durham, being made within vi. months after the date thereof, in the courts of the same counties, shall be good in Law. AB. Inrolments 4. 5.

Inrolment in Chester, Lancaster, Durham.

27 Fines leuied before the Just. of the Countie Palantine of Durham, of lands lying in the same county shall be good. AB. Fines 12.

Fines in Durham.

28 The Bishops of Hereford, & Dauides, &c. shall take order that the Bible, and booke of Common prayer, & administration of the Sacraments, shall be translated into the Welsh tongue: And that one of the same may be had in euery parish Church: And also a Bible &c. in English shall be in euery church there. AB. Wales 125. 126.

Bible in Welsh.

29 The confirmation of a Subsidie of vi. s. in the pound, granted to the D. by the Clergie, to be payd in 3. yeres. 8. P.

Subsidie.

30 A Subsidie and two sixtiens graunted to the Qu. by the Tempozaltie 8. P.

Subsidie.

31 The Qu. general and freis Pardon confirmed by Parliament. Except 8. P.

Pardon.

Queene Elizabeth.

Statutes made at the Parliament holden by prorogation at Westminster, 30. die Septembris, An. 8. Reg. Eliz. &

Anno Domini 1566.

- Bishops.** ¶ All Acts heretofore made or done by any person, in, or about the consecration, confirmation, or inuesting of any person, elected to the dignitie of an Archbishop, or Bishop, by vertue of the Qu. Letters patents, or Commission, thence the beginning of her Raigne shalbe aduodged good. AB. Bishops 5. 39. Eliz. 8.
- Costs and damages.** ¶ The Defendant shall recouer costs and damages where the Plaintiff doth delay his suite, doth discontinue, or is nonsuit. The penaltie for arresting of any person at anothers suit, not knowing thereof. AB. Damages 1. 2. 3. 4. 23. H. 8. 15. 4. Jac. 3.
- Sheepe.** ¶ The penaltie for detinering, or receiuing into any ship, or Bothom, any sheepe being alive, to be conueyed out of the realme. AB. Sheepe 1. 2. 3. H. 6. 3.
- Clergie.** ¶ He which taketh priuily money or goods from the person of any other, not knowing thereof that not be allowed his Clergie. He that is allowed his clergie shall answer to former offences. AB. Clergie 1. 18. 18. Eliz. 6. 25. Ed. 3. 5.
- Delegates.** ¶ A Sentence definitive in a civil and marine cause by Delegates appointed by commission shalbe final. AB. Appales 8.
- Clothes.** ¶ For every nine clothes bntwought caried ouer sea by Licence, there shal be one Cloth wrought transported of like sort, length, breadth, and goodnesse. Kentish and Suffolke Cloth shall not be transported bntwought by licence. AB. Draperie 102. 103.
- Clothes in Shrewsburie.** ¶ No person inhabiting in Shrewsburie, or the liberties thereof (other then such as haue serued in the occupation of Drapers, or is free thereof) shal occupie the trade of buying of Welsh cloth, or lynning cottons, strazes, and plains, nor haue any factor for him in the same. HP. 14. El. 12. Occupiers of Welsh cloth shall pay the Shearman readie money. No retailer of strazes, cottons, or plaines in Shrewsburie shall worke the same. AB. Draperie 55. 4. & 5. P. & M. 5.
- Horses.** ¶ A Repeal of so much of the Statute of 32. H. 8. 13. as doth concerne the height of Horses feeding vpon any of the marsh legges grounds in the Countie of Huntington, Cambridg, Northampton, Lincoln, Suffolke, and Suffolke, or the Isle of Elie. And of what height the horses feeding in any of those marsh grounds shalbe. AB. Horses 3.
- Asses.** ¶ A Repeal of so much of the Statute of 23. H. 8. 4. as concerneth the prices of vessels for Ale and Beere. Iustices of Peace, and head officers, in corporat Townes, shall assele the prices of vessels for Ale and Beere. AB. Cowpers 1.
- Bowes.** ¶ A Repeal of so much of the Statutes of 22. Ed. 4. 4. 3. H. 7. 13. and 33. H. 8. 9. as doth concerne the prices of Bowes. A Bowyer dwelling in London or the Suburbes shal haue long bowes of Elme, &c. The prices of Bowes. AB. Bowes 47.
- Hats & caps.** ¶ None shall worke Hattes with soeine Wool, but which hath borne an Apprentice. The making, dying, thicking, and fulling of cappes. How many Apprentices a maker of Hattes may take. AB. Hattes 1. 2. 3. Who may search Hattes and cappes in London, and correct the offenders. AB. Corporations 18. None vnder the degree of a Knight or Lordes sonne, may weare a Hatte, or vpper Cappe of Veluet, or conered with Veluet. HP. 1. Jacobi 25.
- Lancastres clothes.** ¶ The owners marke, & the Aulnagers seal shalbe put to clothes made in the Countie of Lancaster, before they shal be sold, or caried forth of the county. In

In what towne in Lancashire the Aulnager shall have a deputie. The Aulnagers be for every Cloth. Of what length, breadth, and weight cottons, freyces, and rugges made in Lancashire shall be. AB. Draperie 3. 4. 95. 96. A repeal of every bymarch contrayned in any statute heretofore made concerning the making, and sealing of the said cottons, freyces, and rugges.

13. The bymarch, tollarours, and assistants of the Mercantie house at Deptford to paye, any at their costs from time to time, great such, and so many beacons, marks, and signes for the sea, in such places of the sea shores, & uplands nere the sea coastes, onely for sea marches, as to them shall seeme requisite. And the same shalbe continued, and renewed at their costs. R. Sea marches. Tritic house.

14. A Repeal of so much onely of the statute of 5. El. 2. as concerneth the transporting of tanned Leather of Shepe-skinnes, and Lambe-skinnes. Leather.

15. That bymarch onely of the statute of 24. H. 8. 10. shalbe remitted, which concerneth the provision, bide, and maintenance of nets, and shayes for destruction of Colvers, &c. so generall rewards assigne for the taking, and bying of the head, and eggs of divers dangerous birds, and vermin. R. Crow-nets.

16. The shirifwicke of several counties divided into two shirifes, which before had but one. AB. Shirifes. 29. 30. Shirifwicke.

17. A Confirmation of a Subsidie of 4. s. in the pound granted to the D. n. by the Clergie to be payed in three yeres. R. Subsidie.

18. The D. n. free and generall pardon confirmed by Parliament: Except Pardon. &c. R.

19. A grant by the Temporalitie to the D. n. of one subsidie, and of one fif. tene and tenth. R. Subsidie.

Statutes made at the Parliament begun at Westmin-

ster, 2. die Aprilis Anno 13. Regina Elizab.

& Anno Domini

1571.

1. Ed. 6. 11.
1. Eliz. 1.
1. & 2. P. &
M. 10.
26. H. 8. 13.
5. Ed. 6. 11.

¶ 1. It shall be high Treason to knowe destruction, or bodily harme to the Quene, or to lewie towers, or to none others to war against her: or to affirme that the Quene ought not to enjoy the Crowne, but some other person: or to publish that the Quene is an heretike, schismaticke, tyrann, infidell, or usurper of the crowne: or to claime right to the crowne: or to usurpe the same during the D. life: or to affirme the right in succession of the crowne in some other then the Quene: or to affirme that the Lawes and statutes doe not bind the right of the Crowne, and the descent, limitation, inheritance, and governance thereof. Whosoever shall during the D. life, by any words, or writinge written, or printed, expressly affirme (before the same be established by Parliament) that any one particular person is, or ought to be heire and successor to the Quene, except the same be the natural issue of her body: or shall wilfully set up in open place, or spread any bookes or scribbles to that effect: or shall print, binde, or put to sale, or utter, or cause to be uttered any such booke, or writinge, he, his abettors, and counsellors, shall for the first offence be a whole yere imprisoned, and forfeit halfe his goods, And for the second offence shall incur the penaltie of Praemunire, &c.

The Crowne

2. The generall penalties for giving, or taking of Absolution, by force of any Bull, or other instrument from the Bishoppes of Rome: or for concealing such Absolution, Bull, or Instrument offered: or for bringing into this realme, or receiving any Agnus Dei, Pictures, Crosses, Beades, from the Bishop or

Absolution. Rome.

D. ty

Sea

Queene Elizabeth.

- Sea of Rome:** D^r for not disclosing the offenders: AB. Rome 2. &c.
- Fugitives.** 3 If any boyme within this Realme, or made frae Denizen, hath departed, or shall depart the Realme, without the Quenes Licence, under the Great or Privie Seale, and shall not returne againe within sixe Moneths after warning by Proclamation, he shall forfeit to the Quene the profits of all his Lands during his lyfe, and also all his goods and Cattels. The like penaltie he shall sustaine, which having Licence, shall not returne within sixe Moneths after his Licence expired. The Offendor shall have restitution upon submission. Fraudulent assurances made by fugitives of their Lands, and goods, to deceiue the Quene, shall be void. 5. R. 2. 2. 14. Eliz. 6.
- Accomptant to the King.** 4 Treasurers, Receivers, and other accomptants Lands, shall be liab^e to the payment of the Q. debts. In some cases the Q. may sell the Accomptants lands. The Q. remedy where the accomptant purchaseth lands in other mens names. AB. Accompt. to the K. 29. 30. &c. 14. Eliz. 7.
- Fraudulent debts.** 5 All fraudulent conveyances made to avoyd the Debt, or dutie of others, shall be void. The penalties of such which be parties to such fraudulent assurances. AB. Fraudulent &c. 1. 2. 2. R. 2. 3. 9. 3. H. 7. 4. 29. Eliz. 5.
- Exemplifications.** 6 An Exemplification of the Inrolment of the Q. Letters patents under the great Seale, shall be of the same value, as if the said Letters Patents were pleaded and shewed. AB. Exemplification 1. 3. Ed. 6. 4.
- Bankrupt.** 7 Who shall be said a Bankrupt. Commissioners shall take order with his bodie, lands, and goods, for the payment to everie of his creditors a portion. AB. Bankrupts 1. &c. 3. H. 8. 4. 1. Jac. 15.
- Usurie.** 8 The statute of 17. H. 8. 9. revuined: and the statute of 1. E. 6. 2. 0. repealed which were made against Usurie. The forfeitures where above tenns pounds shall be reserved for the lone of an hundred pounds for one yeare, & tohers lesse. The penaltie of Brokers, and buyers of vsurious bargaines. AB. Usurie 6. &c. 39. Eliz. 18.
- Sewers.** 9 How long a Commission of Sewers, and how long the Commissioners orders shall indure in force. In some case the Justices of peace shal execute the commission. Where shall be no Certisicat of the Commission, or the Commissioners orders. A ferme of lands chargeable shall not be Commissioner within the same precinct. AB. Sewers 12. 15. 16. 3. Ed. 6. 8.
- Dilapidations.** 10 Fraudulent debts made by spirituall persons to defeat their Successors of remedie for Dilapidations shall be void. AB. Dilapidations 1. What conveyances, & for how long time, spirituall persons may make of their lands, tithes, &c. AB. Ecclesiasticall &c. 7. 14. El. 22.
- Sea fish.** 11 A Reminer of so much of the Statute of 5. El. 5 as concerneth the transporting of herring and sea fish, in English shippes with crosse sailes, without payment of custome &c. AB. Shipps 1. All the Q. Subjects may bryng into this Realme, by ships with crosse sailes, coddes & lings in vessels, notwithstanding the statute of 1. El. 6. What kind of ships shall not anker upon the sea in fishing time. AB. Shipps 6. The lawfull Assise of Herring Barrels. Fish brought in by straungers shall not be dyed in Eng^land. AB. Fish. 9. 35. 27. Eliz. 15. 23. Eliz. 7.
- Articles of Religion.** 12 The penaltie for an Ecclesiasticall person to maintaine doctrine contrary to any of the Articles touching Religion. Of what age a man beneficed must be: he shall read the same Articles. Of what age a man ought to be which shall be admitted to the Ministerie, or to preaching. His Testimoniall, and allowance to preach. Where shall be no tiple but after notice. AB. Ecclesiasticall 1. &c. 13. Cojne

- 13 Coine may be transported when the prices be allowed reasonable by the Presidents and Council of the North, and Wales, or by the Justices of Assize, or Justices of Peace: which notwithstanding may be restrained by the Quenes Proclamation. AB. Coine 7.8. The custome of Coine transported. AB. Custome 6.
- 14 The Statute of 11. Ed. 4. 2. Touching Bolstaues, confirmed. Four Bolstaues shall be brought into this Realme for everie Tunne weight of merchandise. AB. Bowest.
- 15 A remuer of the Statute of 1. Eliz. 13. Prohibiting the crossing of the Sea with a Coy, or plate of an English mans. And a repeal of a branch of the Statute of 5. Eliz. 5. that repealeth that Statute.
- 16 The Conventions, Dissolutions, and Attainders of Charles Earle of Westmerland, and 57. others attainted of Treason for open Rebellion in the North parts, confirmed. The Quenes heires and successors, shall have for this time all the lands and goods, which any of the said persons attainted had, within the Bishopricks of Durham, against the Bishop, and his successors, though he claime the Iura Regalia, and challengeth all the said forfeitures in the right of his Church. R.
- 17 Robert Earle of Leicester shall have authoritie to found an Hospital in Warwick, or Kenilworth, for reliefe of Poore and impotent people: which Hospital shall have capacite to purchase lands in any Countie of England, not exceeding the yearly value of £ 5. above all charges, that bee not holden of the Quene immediately by Knights service in chief, or else by Knights service not in chief. R.
- 18 The River of Lee, otherwise called Alare river, by a new cut or trench (to be made within tenne yeares at the charges of the Lord Mayor, Commonalties, and Citizens of London) shall be made to convey by water all Wastales, Coine, and other necessaries, from the Colone of Alare to the Citie of London, and from London to Alare. R.
- 19 Everie person above the age of six yeares, shall weare upon the Sabbath, and Holie day, (unless in the time of their travailes out of their Townes, Hamlets, &c.) upon their Head, a Cap of wool, knit, thicked, and dressed in England, made within this Realme, and onely dressed and finished by some of the trade of Cappers, upon paine to forfeit for everie day not wearing three shillings four pence. Except maides, Ladies, gentlewomen, Noble personages, and everie Lord, Knight, and Gentleman of 100. markes land, and their heires, and such as have boine office of worship in any Citie, Borough, Towne, hamlet, or Shire: and the Wardens of the worshipfull Companies of London. R. 19. Eliz. 18.
- 20 No Lease made of an Ecclesiasticall living with Cure, or any part thereof, shall endure any longer then while the Lessee shall be ordinarily resident, and serving the Cure of such Benefice, without absence above 80. dayes in any one yeare, but everie such Lease, (so longe as it, or any part thereof shall come to any possession, or be above forbidden, or R.) immediately upon such absence shall cease, and be voyde. AB. Ecclesiasticall &c. 9. 11.
- 21 In what cases the Kings Purveyors may take Coine, or Wicnall, in Cambridge, or Oxford, or within sixes miles thereof, and in what not. AB. Purveyors 3. &c.
- 22 A Confirmation of the Stat. of 8. Eliz. 16. Touching the division of the Shires of severall Counties, to continue for ever, (saving for the Shires of Suffry and Surry. AB. Sherifes 29. 30.

Coine.

Bolstaues

Boya

Attainder of Treason.

Leicesters Hospital.

The River of Lee.

weearing of Caps.

Lease of a benefice.

Purveyors.

Shires.

Queene Elizabeth.

Drawing in London. 23 A way without Algate in the suburbs of London, sometime called the 23. Eliz. 11.
Barres next Algate : And a way leading from the old Cage to the south end
of Sightingale Lane : And another way between the said old Cage and Crosse
Spill in the parish of St. Martin, shalbe paved with Stone, & so shalbe for ever con-
tinued by those which be leased in fee simple, fee tail, or for term of life, of lands
adjoyning to the said highwayes, on the one side, or on the other, unto the mid-
dest of the said wayes. R.

Drawing of Ipswich. 24 The streets of Ipswich in the Countie of Suffolke, and of the Sub-
urbes thereof, shall bee paved with good paving stone, and so ever repaired by
the owners, Landlords, or Tenement-keepers, along, from, & against their houses,
Lands & Tenements, adjoyning to the streets, viz. so much of the said streets
in length, as his house, Lands, &c. so adjoyning extendeth unto, and in breadth
during all the said length to the Chancell : or to such place as the chancell there
shall be appointed by the Wardens, upon paine of forfeiture for everie yard
square not sufficiently repaired eight pence. The Wardens of Ipswich, and the
Parishmen there, the Church-wardens, and others of everie parish shall have
authoritie to take upon everie house, ground, and Tenement, free and Copie;
situat within the severall Parishes of Ipswich, reasonable summes of mo-
ney to be yearly payed, as well towards the finding of a convenient Stipenda-
rie Minister, within everie Parish, as for the reparations of the Churches
there. R.

Minister Church. 25 The Statute of 5. H. 8. 17. concerning the winding of Will, And of
Continuance of Statutes. 23. Hen. 8. 9. touching Attaints, And of 5. Hen. 8. 17. for the preservation of
Woods, And of 5. & 6. Edw. 6. 14. against Forfeftallers &c. And of 1. & 3. P.
& Mar. 3. concerning keeping of Spitch-Hyme, and binding of Calves, made
perpetuall. The Statute of 23. Hen. 8. 2. and of 5. Eliz. 24. touching the ma-
king and repaying of Coales, shall extend to the Countie of Cambridge, and
shall be renewed, and continue tenne yerres after the tenne yerres mentioned in
the said Statute of 5. Eliz. Severall other Statutes continued untill the end
of the next Parliament. R. All Woods or Copies intended by the foresayd
Stat. of 5. H. 8. 17. to be inclosed, or the springs thereof preserved, shalbe inclo-
sed, & the springs thereof saved from destruction, by the space of two yerres more
then in the said Act is limited. AB. Woods 1. &c.

Subsidie. 26 A confirmation of a Subsidie of five shillings in the pound granted to
the Duke by the Clergie, to be payed in three yerres. R. P.
Subsidie. 27 A confirmation of two fifteenes and twelfths, and one Subsidie gran-
ted to the Duke by the Temporalitie. R. P.
Pardon. 28 A confirmation of the D. free and generall Pardon: Except &c. R. P.

Statutes made at the Parliament begun at Westminster

8. die Maij, Anno 14. Reg. Eliz. & Anno Domini 1572.

The Duke and Ships. ¶ 1 It shall be Felonie to take, or keepe from the Duke any of her Ca-
stles, Forts, Holdes, &c. Or to raze, or burne any Castle, or fort, having the
Dukes appointment, or Ordinance therein, or guarded with souldiers : And
advisedly to expresse the same by wordes, acts, or writings. It shall be high
Treason to withhold from the D. any of her Castles, holdes, &c. Or any of her
Shippes, Artillerie, or Fortifications of warre : Or to burne, or destroy any
of her Shippes : Or to barre any Haven. R. P.

Enlarging a Prisoner. 2 The penaltie for conspiring, devising, or going about to enlarge any
person committed to prison, or custodie, by the D. speciall commandment,
for any Treason, or suspicion of Treason, concerning her owne person, and
the

the same conspiracie, deuise, &c. by expresse wordes, writing, or other matter, manifestly to declare or set forth, before the prisoner shall be indicted, shall be deemed suspicion of Treason, after Indictment felonie, after Attainder high Treason. *HP.*

3 It shall be suspicion of High Treason to forge Money, which neyther is the Coyne of this Realme, nor current therein. *AB. Treason 4. Forging Money.*

4 A reuier of the Statute of 1. Eliz. 10. prohibiting the transporting of Leather, raw Hides, and Tallow. *HP. 18. Eliz. 8. Leather.*

5 A Repeale of the Statute of 22. Henr. 8. 12. 3. & 4. Edw. 6. 16. and 5. Elizab. 3. Provided for the reliefe of the Poore, and punishment of Vagabonds. *Magabond.*

24. Eliz. 7.
HP.

A Vagabond above the age of fouretene yeares shall be adiudged to grieuously whipped, and burned through the grille of the right Care with a boate Pion of the compasse of an ynch, unlesse some credible person will take him into seruice for a yeare. And if, being of the age of eightene yeares, hee after doe fall againe into a Roguish lyfe, hee shall suffer death as a felon, unlesse some credible person will take him into seruice for two yeres. Any if he fall a third time into a Roguish lyfe, he shall be adiudged a felon. *Who shall be adiudged Vagabonds.*

39. Eliz. 4.

43. Eliz. 2.

1. H. 5. 1.

1. Iacob. 25.

The penaltie for the reliefe of them. Who may make Passports and Licences, and to whom. Assessments shall be made of the Parishioners of euerie Parish, for the reliefe of the Poore of the same Parish. Euerie Bishoppe shall visit and reforme Hospitals within his Diocese. No person shall bring any Rogue out of Ireland, or the Isle of Spain into England. *HP. The Iustices of Peace at their Quarters Sessions shall take euerie Parish within their shire, for the reliefe of Prisoners in their common Gaole. AB. Prison Prisoners &c. 4. Prisoners.*

13. Eliz. 3.

6 The Quene may make graunts by Copie of Court Roll, of small wood sales, or other things, of fugitiue Lands, as Tenant pur terme dauter vie may doe. The Rents of fugitiue Lands shall be answerable in the Exchequer, and of Duchie Lands, in the Court of the Duchie of Lancaster. *HP. Fugitiues*

1. Iacob. 25.

7 The Stat. of 17. Eliz. 4. Touching and inabling Treasurers, and Receiuers Lands to be lyable to the payment of the Quene her debtes, shall extend to Undercollectors of Tenths, and Subsidies. *AB. Account &c. 40. Under Col^{rs} 2020.*

8 A Recouerie had by assent of the parties against Tenant for terme of lyfe, shall be voyd, except it bee by assent of him in the Reuersion, or Remainder. *AB. Recoveries 5. 6. 7. A Repeale of the Statute of 13. Henr. 8. 31. Recouerie.*

31. H. 8. 6.

5. Eliz. 25.

5. Ed. 6. 6.

4. & 5. P. & M. 5.

9 In what cases a Tales de circumstancibus shall be graunted at the Request of Defendants request. *AB. Iurors 25. 26. Tales.*

10 No person using the trade of making of Kertles, shall purposely make any about the length of sixty yards. *HP. 3. Iac. 16. Kertles.*

11 Generall Statutes made in the Reignes of King H. 8. & Edw. 6. and 5. Eliz. reuined, and continued untill the end of the next Parliament. *HP. But these wordes in the Statute of 17. Eliz. 20 shall not be reuined, viz. (So some as it, or any parcell thereof shall come to any possession or vse about forbidden, or &c.) Of what force bonds, promises, and covenants made for the suffering of any person to enjoy any Benefice with cure shall be. Colledges may let certaine Lands to farme for fortye yeares, notwithstanding the Statute of 13. Elizab. 10. But they may not alien them, except they haue sufficient and present recompence. AB. Ecclesiastical &c. 8. 10. 12. Benefices.*

1. Iac. 25.

12 Colledges, and Leases. *HP. 3. Iac. 16. Colledges, Leases.*

Money

Queene Elizabeth.

- Dilapidations.** Money recovered for dilapidations, shall be employed in reparations. AB. Dilapidations 2. 13. Eliz. 7. 10.
- Welsh cloth.** 12 A repeal of so much of the Stat. of 7. Eliz. 2. as restrayneth any Inhabitants in Shrewsbury to buy Welsh Cloth, Cottons, or Fries: And the residue of the said Stat. confirmed.
- Hexam.** 13 Hexam, and Hexamshire with the Liberties thereof, shall be taken to be within a parcell of the county of Northumberland. AB. Hexam 1. 11. H. 7. 9.

Statutes made at the Session of Parliament holden by prorogation at Westminster 8. die Februarij, An. 18. Reg. Eliz. & An. Dom.

1575.

- Money shaled.** 1 The diminishing, scaling, or lighting of any Coine current within this Realme, shall be high Treason. AB. Treason 6. 5. Eliz. 11.
- L. Patents.** 2 A confirmation of all Letters Patents made by the Quene, since the first day of her Maigrie, as to be made seauen yeares after, notwithstanding any misrecitall, Non-recitall &c. And a like Confirmation of all assurances made, as to be made to the Quene during the sayd time. AB. Patents 3. 4. 5. 6. 7. 43. Eliz. 1.
- Bastard.** 3 Justices of Peace shall take order for the punishment of the mother, and reputed father of a bastard, and for the keeping of the same bastard. AB. Bastard 1. A Kogge shall be conveyed from Constable to Constable, until he come to the gaole. A Stocke to set a poye on worke shall be provided in euery Citie & town corporat. Houses of Correction shall be assigned in euery Countie. Lands holden in socage may during 11. yeeres be given towards the maintenance of houses of Correction, and Stockes for the poye. 1. Jac. 1. 7. Jac. 4.
- Assurances by Rebels.** 4 Euery person which hath, or claimeth to haue any estate of inheritance, Lease, or rent, not already entered of record in the Exchequer, of, in, or to any Lands, or Hereditaments, &c. by any assurance made by Charles Earle of Westmerland, or any other Rebels in the North attainted, named in the Statute of 13. Eliz. 1. 6. or in any of the Records of their severall attainders, at any time within two yeeres next before the 7. day of November, An. 1. of the Quenes raigne, shall within one yeare next ensuing the first day of May next, openly shew forth in the Exchequer, in the Terme time, the same his conveyance, and exhibite the same to be inrolled of record: Or else euery such conveyance made by any of the sayd Rebels shall be void. And after the sayd partie which exhibiteth the same Conueyance, may within one yeare produce witnesses to be examined in the Exchequer, to proue the same to bee made Bona fide. An yet if at the suite of the Quene, or any of her Patents, it shall be found by verdict, that any such Conueyance was made by couyn, to defraud the Quene of her forfeiture, it shall be voyd. But this Act shall not extend to any Bargaine and sale made of lands by deede indented and inrolled, nor to Leases for thre liues, or 21. yeeres, nor to estates graunted by Copie according to the custome of the manour, so vied to be letten by the space of twenty yeeres, whereupon the old, and accustomed yeerly rent, or more shall be reserved. R. 25. Eliz. 3.
- Informers.** 5 The dutie of an Informer in prosecuting a suite upon a penall Statute And his punishment if he abuse it. AB. Actions p. 3. 4. 5. 6. 7. In what case a Jurie shall be compelled to appeare at Westminster for the trial of an issue upon a penall law. AB. Jurors 3 1. 27. Eliz. 10. 31. Eliz. 5.

- 6 No man shall haue his Clergie, which commiteth any Rape, or Burglarie, or doth carnally know, or abuse any woman child vnder the age of tenn yerres. He that is allowed his Clergie, shall answer to other felonies. And he that is allowed his Clergie shall not be committed to the ordinary, but forthwith enlarged. AB Clergie 10. 18. 10.
- 7 The Quene may, and shall appoint two Iustices for euerie circuit in Wales. And she may grant Commissions of Association to persons learned in the Law. Of what things those Iustices may hold plea. AB Wales 5. 6.
- 8 A Repeale of the Stat. of 1. Eliz. 10. and 14. Eliz. 4. touching the transporting of Leather. The penaltie for shipping or lading of any Leather, Tallow, or raw Hydes, to the intent to transport the same beyond the Sea. AB. Leather 50.
- 9 What shall be the charge of euerie person towards the repaire of Highways, in respect of his Lands, or goods, or severall plough-lands. Who shall ditch, or shoure, or make sluices in or nere the high way. No person shall cast any soyle in the hightway. AB. Highways 12. 13. 14. 15. 16. The Iurie at the Quenes Court at Ringelborow in the Isle of Sheppey in Kent, shall tase themselves, and all other the Land-occupiers of the sayd Isle, according to euerie mans occupying, towards the maintenance of Kings ferrie within the said Isle, and the wayes leading to the same: So as no acre of fresh Parsh be rated above one penie in a pere, nor tenne acre of salt Parsh above a peny in a yeare R. It shall be lawfull yearly during tenne yeares, for thre Iustices of peace to tase all land-occupiers dwelling out of the sayd Isle, and within 4. Myles from the ferrie, for the amendement of the High-way leading from Spidolton to Kings ferrie. R.
- 10 A Lease or other conueyance made of any Spirituall tyuing, to whereof there is a Lease in being not to be determined within thre yeares shall be voyd: And so shall euerie bond, and covenant, for the renewing thereof. A Requisition shall be granted by the ordinary of the Tithes of a Parsonage demised contrarie to the Statute of 13. Eliz. 20. and the Parishioners may retaine their Tithes. Saint Johns Colledge lease, to the heires of White of ffild. AB. Ecclesiasticall &c. 7. 9.
- 11 There shall be a triall in Westminster Hall by Nisi prius, of issues issued in the Chauncerie, Kings Bench, Common Place, or Exchequer. AB. Nisi prius 4. &c.
- 12 The transcripts of all offices found before escheatores, or commissioners, within the counties Palantine of the Duchie of Lancaster, Chester, & Durha, shall be certified into the Court of Wards. AB. Office & Inquisition 7.
- 13 After verdict given in Court of Record, there shall be no stay of iudgement, or renewing thereof for want of forme, false Latine, variance, &c. AB. Icofaile 2. When an Attourney shall deliuer his warrant of Record. AB. Attourney 13.
- 14 Of what kinde Goldsmithes shall make their wares of gold, & siluer. A Goldsmith shall set his marke to his wares. AB. Gold 10. &c.
- 15 A Repeal of so much of the Stat. of 4. & 5. P. & M. 5. prohibiting the making, weauing, or rowing of wollen cloth but in a Corporat, or Parcket Towne, as concerneth any persons dwelling in Somerset, Gloucester, and Wiltshe. In what houses Clothiers in those Counties may make Cloth out of a Cittle or Parcket Towne. How much land a Clothier may keep in his occupation. AB. Draperie 80. 81. 82.
- 16 The mozt after the Quarter Sessions holden next after Easter in Kent, the Wardens & Communitie of the Lands contributoie to Rochester Bridge,

Clergie.

Iustices in Wales.

Leather.

Highways.

Kings ferrie.

Leases of Spiritual &c.

Sir Tho. White.

Nisi prius.

Office.

Icofaile.

Attourney.

Goldsmithes.

Cloth.

Rochester Bridge.

Queene Elizabeth.

Bridge, shall for ever assemble the Castle of Rochester, and there elect by the most voices, 2. persons of the same Community, to be wardens of the said bridge, & 2. persons of the same community, to be assistants to the said 4. wardens, for one year after the feast of Michaelmas then following. And the 4. wardens so chosen shall doe their indemo; that yeare to benefit the said Bridge, and shall receive the fines, rents, and remenues of the Lands belonging to the bridge, and of all contribution-money payable to the use of the same bridge: and shall answer, and pay out of the same, as cause shall require. The new wardens shall be bound to the former wardens to make an account. The old Wardens shall account the Thursday in Whitsun week. The wardens & assistants shall subscribe to all Leases made of any of the bridge lands: which Leases shall bee made but of such effect as tenant in fee may do by the Stat. of 3. H. 8. 28. and for no fines. And every 7. years there shall be made a Surrender of the lands leased. And owners or tenants of Lands contributary to the maintenance of the said bridge, shall be assessed to pay any duty towards the maintenance thereof, but only when the rents or profits of the lands belonging to the same be not sufficient. R.

27. Eliz. 2.

**Chepstow
Bridge.**

17 The County of Gloucester, and the County of Devon, shall stand for ever chargeable, for the maintenance, repairing, and new making of Chepstow bridge, as often as need shall require, viz. either of them for such part and moiety, as lyeth in the middle of the streams of the water of Wyre, on y sides of the Landships of Chepstow, and Lydenham. And for the assessment, collectio, and employing of the money thereupon to be spent, such order shall be observed, as is appointed by the Stat. of 22. H. 8. 5. R. 3. Jac. 23.

**Daving of
Chichester.**

18 Every person which shall be immediate owner, Landlord, or Tenant of any house, Lands, or Tenements within the Citie of Chichester, in fee simple, fee tail, for life, or years, shall from time to time, by the assignement of the Mayor of the said city, cause to be paved with good paving stones along st, and against his house, Lands &c. adjoining to the st, so much of the said st, as is in length to the channell, upon paine of forfeiture of 3. s. 4. d. for every yard square not paved. The Lessees for years, or at will, may defaulte so much of their Lords rent, as they shall bestow in such paving, unless they shall otherwise covenant. R.

**High wayes
near Oxford.**

19 Every person inhabiting within 5. miles of the city of Oxford, or the franchises of the same, having in his occupation one yard Land, or having a draught, cart, plough, or waine, shall at his owne charge send for the repairing, & to buyling of the decayed bridges, waies, & passages, lying within one mile of Oxford, one waine, cart, or draught furnished, after the custome of the country, with open, horses, &c. and all other necessities mete to carie things for such purpose, & able men to load, & unload the same cart, &c. And every other Householder, cotager, or labourer, inhabiting within the foresaid compass (being no hired servant) shall by him selfe, or other sufficient labourer, having meet tools, worke upon the premises: which persons, by the commandment of the Superiours, shall make their carriages, and keepe their worke free whole waies, at such places as to them shall be assigned, upon pain of for. for every day or part of day wanting to. The said Superiours may cause to be digged gravel, sand, rubble, stone, snyder and other things in the ground of any person, for the amendment of decayes. R. AL. 25. El. 7. 1. Jac. 25. To continue in force until the end of the first Session of the next Parliament.

Woodstocke.

20 It shall be lawfull to every person to buy and sell within the Borough of new Woodstocke, in the Countie of Oxford, all manner of Wollens and Parnes brought into the said Borough, upon the small market, and fairs daies,

dayes, and the same to vse and imploy to their best profit. R.

21 The confirmation of a Subsidie of vs. s. in the pound graunted to the Quene by the clergie, to be paide in three yerres. R. Subsidie.

22 Two fiftiethes and Tenthes, and one Subsidie granted to the Quene by the Temporalitie. R. Subsidie. fiftiethes.

23 A confirmation by Parliament of the A. free and generall pardon: Ex. Pardon. cept &c. R.

Statutes made at the Session of Parliament holden by

prorogation at Westminster 16. die Ianuarij, Anno 23. Reg.

Elizabeth. Anno Domini 1581.

¶ 1 It shall be high treason to perswade, or withstanding any from their naturall obedience to the Quene, or to withstanding or reconcile them so; that intent, from the Religion now used, to the Romish religion: or to be perswaded, withstanding, or reconciled. AB. Rome 7. 8. The penaltie so; saying, or hearing of masse. AB. Sacraments 1. The penaltie so; for bearing to come to the Church by the space of a Moneth: Or so; the keeping of a Schoolmaster which doth not repairs to the Church. Common assurances made by Recusants to defraud the Quene shall be void. AB. Recusants 1. 2. 3. 4. 5. 6. 7.

Romish Religion.

Mass.

Recusant.

2 If any person shall aduersely, and with a malicious intent, of his owne imagination, speake any false and slanderous felices or tales against the Quene that now is, Then he shall haue both his Eares cut off, except he pay CC. l. to the Qu. vse in the Exchequer, within two monethes after Judgement. And if he speake such slanderous felices of the report of any other, he shall haue one of his Eares cut off, except he pay CC. Markes, &c. And if any person once convicted shall offend againe, it shall be aduanced felonie. And if any person within this Realme, or without, shall devise, write, print, or set forth, any Booke, Rime, Ballad, Letter, or writing, containing any false, seditious, and slanderous matter, to the defamation of the Qu. or to the stirring or moving of any Rebellion: Or shall cause any such booke, rime, writing, &c. to be written, printed, or published: Or shall by setting of any figure, casting of Asinitie, or by Calculation, Prophecy, Witchcraft, Coniuration, &c. seek to know, and shall set forth by expresse words, verses, or writings, how long the Quene shall live: Or who shall Reigne as King or Quene after her decease: Or shall utter any Prophecies, to any such intent: Or shall wish, or desire the death, or deprivation of the Quene, or any thing to the same effect: Then euery such offence shall be aduanced felonie. EXP.

Slender of the Quene.

3 Fines and Recoveries may be intolled. For what Errors they may be reversed. Who may haue writs of Error to reverse them, and in what cases. The day and yere of knowledging of a fine, or Warrant of Attourney, shall be certified. There shall be an office of Inrolments. The fees so; Inrolments of fines and Recoveries. A Table shall be set vp containing the contents of euery fine &c. AB. Fines 2. &c.

Fines. Recoveries.

4 The Quene shall and may, as nede shall require, by commission under the great Seale, giue authoritie to certaine Commissioners, in all and euery of the Counties of Northumberland, Cumberland, Westmerland, and the Countie Palantine of Durham, or in any one of them, to inquire what Tenancies, and houses of habitation, whence Anno 17. H. 8. be decayed and not occupied by men able to seru as housemen, or footmen, according to the ancient duty of those Tenancies, and to examine the probable causes

The borders of Scotland.

Queene Elizabeth.

of those ruines, and of all the wants, and euill furnitures of the said Hoysmen and ffootmen: and to giue order for the reformation thereof, with all speed for the defence of the frontiers towards Scotland. *EXP. & HP. 4. lac. 1.*

Iron. 5 Those Woods shall not be conuerted to Coales for the making of Iron workes, which shall grow within a certaine compasse of London, or Thames. In what places new Iron workes shall not be erected. *AB. Iron 4. 5. 6.*

Repairing of Dover haven. 6 For euerie Ship, Vessell, or Crayer, whereof any of the Qu. Subjects shall be owners, or part owners, of the burden of xx. Tunnes or byward, loading, or discharging within this Realme, and passing to and from any fozeine country, during viij. yerres, there shall be paid for euerie such voyage by the Master or owner of such Ship &c. iij. s. for euerie Tunne of burden of such Ship &c. (except vessells laden with Sea coales or Grindstones) towards the repaire of Dover Haven: And for euerie Chaldron of Sea coale or Grindstone j. s. ob. *HP.*

Salt fish. Herrings. 7 It shall not be lawfull to any English man, or woman, or Denizen, to goe, or send into any other fozeins countrie, for the buying or byinging into this Realme any salted fish, or salted Herring, nor to make agreement with any stranger, or other, for such byinging, of salted fish, &c. And no salted fish, or &c. shall be brought hither out of any fozeins dominion, but by the owners thereof being Aliens, without the procurement of any of the Qu. Subjects. *HP. 39. Eliz. 10.*

Ware. Honey. 8 The penaltie for vsing deceit by mixture, in melting of Ware. Euerie Melter of ware shall haue a marke, and shall vse good stuffe. The contents of euery Vessell of Honey to be sold: And the same to be marked. *AB. Wax &c. 1. &c.*

Dying of cloth. 9 Logwood and Blockwood shall not be vsed in dying, but shall be burned. No Cloth shall be mathered for blacke, except it be first grounded with Woode. A Dyer shall fire a Scale of Lead to his Cloth. *AB. Dyers 1. 3. 4.*

Felons &c. Hawking. Cardiffe Bridge. 10 The penaltie for destroying of Whelants, or Partridges in the night, and for hawking in eares or coddled coynes growing. *AB. Felons 2.*

11 The Countie of Glamorgan in Southwales, and the Towne of Cardiffe therein standing nere unto the river of Lasse, shall ioyntly procede together to the reedifying of the Bridge there, viz. the Countie shall alwayes bestow five parts of the charges, and the Towne of Cardiffe one part. And so for euerie v. l. payable by the Countie, the town of Cardiffe and the liberties shall stand charged with xx. s. and so from time to time, for the maintaining of the said Bridge, shall defray all such charges as shall be necessarie in like proportion. *HR.*

Dwelling without Algate. 12 An addition to the Statute of 13. El. 23. touching the pauing of a street without Algate in the Suburbs of London, leading to the Quenes Storehouse of the Pinories, towards the Tower of London, and other places nere thereunto. Euerie person that hath any lands adioynning to the North side of Hoggelane, shall skoure and keepe skoured and clenched the ditch there against the said lands, vpon paine to forfeit to the Quene vij. s. viij. d. for euerie Rodde not clenched. *HR.*

Plumsted Parish. 13 A continuance for two yerres, of certaine Statutes not in print, made anno. 8. & 14. Eliz. Touching the Inning, and fencing of Carish, Limes, and Plumsted Parish, in the Countie of Kent. And some further benefits granted to the Inners. *HR.*

Subsidie. 14 A confirmation of a Subsidie of vij. s. in the pound granted to the Quene

Queene by the Clergie, to be paid in thre parts. *EXP.*

15 A graunt of a Subsidie and two sixtiens to the Qu. by the Temporal Subsidie. *EXP.*

16 A confirmation of the Quenes generall and free Pardon: Except Pardon. *EXP.*

Statutes made at the Parliament begun at Westminster

23 die Nouembris, Anno 27. Reg. Eliz. & Anno

Domini 1585.

1 Foure and twentie persons at the least, whereof part of the Quenes Privie Councell, and the residue being Peeres of the Realme, by the Qu. Commission, shall examine the offences of such as shall make any open invasion, or rebellion within this Realme, or attempt hurt to the Qu. person, by, or for any pretending Title to the Crowne: Who after Judgement given, and published by Proclamation, shall be disabled to haue, or pretend title to the Crowne. And thereupon euery such person shall be pursued to death, by all the Qu. Subiects, by whome, or whose meanes, assent, or privity, any such Rebellion shall be denounced to be made, or other thing attempted, compassed, or imagined against the Quenes person. If any act shall be executed, whereby the quenes life shall be shortned: the offenders shall be prosecuted to death, and disabled to pretend Title to the Crowne. The meaning of the association was to the effect aforesaid. *EXP.*

Hurt to the Qu. person.

Invasion.

Association.

2 All Iesuites and Priests that be in England shall depart. And none shall come into the Realme. The penaltie for relieuing them. They which be in Seminaries, shall upon warning by Proclamation returne into England. The penaltie for sending reliefe to them, or to any Iesuite or Priest. None shall send his Childe beyond the Sea without licence. *AB.* Iesuites 1. & c.

Iesuites.

Priests.

1. lac 4.

3. lac 5.

1. lac 25.

3 An explanation of the Stat. of 13. Eliz. 4. ordained to make the Landes and goods of Widders, Receiueys, &c. lyable to the payment of the quenes debts. *AB.* Accomprants &c. 42. &c.

Accomprants to the King.

39. Eliz. 18.

4 Fraudulent conueiances to defeaite purchasors shall be void. The penaltie of those which vse inliste them. Assurances with condition of reuocation shall not preiudice the purchasor. *AB.* Fraudulent &c. 4. &c. The contents of Statutes Marchant, and of the Staple, shall be entred in the office of the Clerke of Recognisances. *AB.* Statutes 15. &c.

Fraudulent assurances.

Statutes marchant.

8. H. 6. 13.

5 After demurrer toynd and entred, Judgement shall be given, notwithstanding any defect in proces or pleading. What defects in forme shall be amended by the Court, and what not. *AB.* Demurrer 1. &c.

Demurrer.

35. H. 8. 6.

2. Ed. 6. 32.

6 The forme of a Venire facias, where each Jurour must dispend foure pounds of Freehold. What issues shall be returned vpon euery person impanelled. The penaltie of the Whirfe which retourneth one summoned, that is not: Or for taking a reward to spare the retournyng of a Juror. Two Hundredors shall be sufficient in a personall action. *AB.* Iurors 19. 20. 21. 22.

Juror.

39. Eliz. 18.

7 No Juror shall be returned without addition of his dwelling place. In euery Extract of Issues against a Juror, his addition shall be put: And no issues shall be gathered but of him. *AB.* Iurors 33. 34.

Juror.

31. Eliz. 1.

8 Judgements in certaine personall Actions given in the Kings Bench, may vpon a writ of Errour sued, be examined, and affirmed, or reversed by the Iustices of the Common Pleas, and Barons of the Exchequer. And the

Error.

Queene Elizabeth.

- same Judgement may be againe examined in Parliamēt. AB. Errour 34.
- Fines. Wales.** 9 There may be inrolment of fines acknowledged, or recoveries suffered of lands in the shires of Wales, the Towne and Countie of Pauerford west, and the Countie of Salantine of Lancaster, Chester, and Duresme: For what Errours fines and recoveries there, are not repersable. And in what cases Writs of Error shalbe allowde. AB. Fines 31. &c.
- Informers.** 10 The Stat. of 18. Eliz. 5. Touching Informers vpon penall Statutes, made perpetuall. AB. A Rion p. 3. &c.
- Fish dayes.** 11 Certaine Stat. made in the raignes of H. 8. H. 8. Ed. 6. and M. C. L. reuined, and made to continue vntill the end of the next Parliamēt. BP. A repeale of so much of the Stat. of 5. El. 5. as concerneth the eating of fish, and restraineth the eating of flesh vpon the Wednesday. Sea fish may be sold any day in the weeke, sauing Sunday. Butchers shall offer no flesh in Lent, nor vpon Fridayes or Saturdayes. BP.
- Undershire.** 12 Two othes shall be taken by euery Undershire. And Baylifes of franchises, shirifes Clerkes, and Deputies, shall take the same othes. AB. Sherifes 32. 33. 34.
- Fresh suit.** 13 The inhabitants of the Hundred where fresh suit shall cease, shall be chargeable with halfe the damages recovered against the Hundred where the Robberie is committed. And the suit shall be commenced by the Clerke of the peace. A remede for those against whom recoverie and execution shall be had, to haue contribution of the residue of the Hundred. Huy and cry shall be made by horsemen and footmen. AB. Huy &c. 2. &c.
- Huy & cry.** 14 A reuiner of the Stat. of 2. & 3. E. 6. 10. Touching the true making of spaul. AB. Mault 1. &c.
- Sea fish.** 15 It shall be lawfull to any of the R. subiects to bring into this Realme from the parts beyond the sea in English ships, or craiers, being sailed by English Mariners with crosse sailes, Herrings, Staple fish, and Ling fish, for seruicing of the North parts, paying the R. shennes custome & Subsidy for the same: So as none of the said fish be shipped from any of those North parts, into any place of England, South, or South west from Boston, Any Statute or Proviso notwithstanding. But this shall not be preiudiciall to the Towne or Burgeses of Berwick. BP.
- Leather.** 16 It shall not be lawfull to any person (sauing to a Tanner, his executors, administrators, or Legatores, or to them to whom tanned Leather shall be forfeited) to sell, or put away any tanned Leather, vnwrought, not conuerted into made wares. BP.
- Cloth.** 17 Of what length, breadth, and weight narrow listed Whites, and broad listed Whites, made in the Countie of Gloucester, Wiltshire, and Somerset, and else where of like making shall be. And the penalties for the want thereof. AB. Draperie 12. 28. S. 43. Elizab. 10. part of this Statute repealed.
- Cloth.** 18 A repeale of part of the Statute of 5. Ed. 6. 6. and of the whole Statute of 7. Edw. 6. 9. restraining the putting of haire, flockes, or lambs wolle, into plaine white Straites, and pinned white Straites, made in Deuon and Cornetwall. What may be put into the saide Clothes made in Deuon and Cornetwall. Of what length, breadth, and weight the said Clothes shall be. How many Lomes euery workeman may kepe in his house. AB. Draperie 57.
- Iron Wills.** 19 No new Iron Wills shall be made in Sussex, Surrey, or Kent. No good Timber shall be consumed by the making of Iron. AB. Iron 7. 8. 23. El. 5.

A remedie for the repaire of high wayes in Suffe, Surrey, and Kent. 39.
Eliz. 19.

20 It shall be lawfull to the Shaior and Comminaltie of Plimouth, in the Countie of Devon, and their successors, to digge and mine a trench, or ditch, containing in breadth betwixt five or seven fote ouer in all places, through all the grounds, lying betwene the Towne of Plimouth, and any part of the Riuer of Pew, for the necessarie conueying of the said Riuer to the said Towne, and to do reparations, and make all things necessarie, whereby the said Riuer may be brought, and continue vnto the said Towne, without the let of any person: The said Shaior and Comminaltie paying to the owners and farmers of the said grounde, the value of the ground so digged, to be assessed by two Iustices of Assise. But the said Riuer shall not be conueyed through any persons House, Orchard, or Garden, nor to the hinderance of the water course of any Mill, without the owners consent. R.

Plimouth
riuer.

4 H. 7. 11.

21 What mase euerie Net shall be, that shall be set in Wyford Hauen in the Countie of Suffolke. AB. Hauens 3.

Wyford
Hauen.

22 It shall be lawfull to the Shaior and Citizens of the Citie of Chichester, in the Countie of Suffe, their successors and assignes at any time hereafter to lay out so much ground, in such places as they shall thinke most mete for that purpose, for the making of a new channell, from such place of the Hauen of the said citie, vnto the Suburbes thereof, betwene the Well Key there, and a place called Fishborne, and of such length and breadth, through out, as to them shall seme necessarie, for the conueying the water along the channell vnto the said Suburbes: And also to enter into any lands within halfe a mile of the said new channell, where any Brookes, Waters, Streames, or Springs shalbe, and to assigne and lay out such quantitie thereof, as shall be conuenient to bring the same Brookes, &c. into the said channell. R.

Chichester
Hauen.

1. EL. 14.

23 What persons dwelling in Borkstead and Langham in the Countie of Essex may make, weaue, or row wollen clothes there, notwithstanding the Statute 4. & 5. P. & M. 5. AB. Draperie 79.

Cloth.

1. Jac. 35.

24 The Iustices of peace within the Countie of Suffolke, shall take order for the repaire of Sea bankes, and Sea workes within the said Countie. AB. Highwayes 4.

Sea bankes
in Suffolke.

9. H. 5. 11.

18. EL. 16.

25 As often as the Rents or profits belonging to Rochester Bridge in Kent, shall not be sufficient to beare the charge of the reparation thereof, the two Wardens and more part of the twelve assistants, shall take all the contributoie lands, rating euerie Parish, where those lands be, proportionably at such summe of money, to be paid in such manner, as by the said Wardens &c. shall be appointed in writing, vnder their hands and Seales: for the which any person by them assigned may distrayne, and sell the Distresse. At the yearely election of the said two wardens and assistants, two householders at the least shall be present of euerie Parish within seven miles of the said Bridge, wherein any contributoie lands doe lye, to giue their voyces at the same election. R.

Rochester
Bridge.

18. EL. 9.

26 It shall be lawfull for vij. liij. or iij. Iustices of Peace inhabiting within vij. miles of Spidleton in the Countie of Kent, to take upon the grounds lying without the Isle of Sheppey, and within iij. miles distant from Kings Forde there, such assessments towards the repaire of the High way leading from Spidleton to Kings Forde, as to them shall seme reasonable, though the owners or occupiers of the said grounds be dwelling
R. ij. with.

The way to
Kings Forde

Queene Elizabeth.

without the said compass of foure miles : So as for euery yere no acre of
crash marsh be rated above a peny, nor tenne acres of salt marsh above a peny.
Notwithstanding the Statute of 18. Eliz. 9. R.

**Plurified
Parish.**

27 Libertie continued to certain persons, for six yeres, for the tinning
of Crith, Lesnes, and Plumsted parishes, in the Countie of Kent. The
moitie of all the lands so to be recovered and tinned, assured to the Tanners and
their heires, in respect of their charges : and also the eight part of the other moi-
tie. They shall hold it of the Quene as of the Manor of East Greenwich
in socage, by seantie, paying a peny an acre yerely : and shall pay no tithe for
six yeres. R.

23. El. 13.
4. lac. 8.

Subsidie.

28 A confirmation of a subsidie of vi. s. in the pound, granted to the Qu.
by the clergie, to be paid in three yeres. R.

Subsidie.

29 One entier Subsidie, and two sixtiens, granted to the Quen by the
temporaltie. R.

Parson.

30 The Quenes generall and freis pardon confirmed by Parliament, Ex-
cept &c. R.

Statutes made at the Session of Parliament holden by

prorogation at Westminster 29. die Octobris, Anno 28. Eliz.

& Anno Dom. 1587. Or according to the printed

booke 15. die Febr. An. 29. Eliz.

**Attainder of
Treason.**

1 A Confirmation of the lastfull, and iust conuictions, and attainders
of Thomas Lord Paget, J. C. C. W. J. R. W. S. A. B. T. S. C. J. C. A.
C. M. C. R. K. B. J. C. and J. L. lately attained of high treason by Outlawry,
Verdict, or confession. And they shall forfeit to the Qu. all their manors, lands,
offices, rights, condition, and hereditaments. R.

**Attainder
reuerfed.
Assurances
by Rebels.**

2 So Record of attainder of Treason shal be reuerfed, where the partie at-
tainted is executed for the same. AB. Treason 15.

3 Euery person which hath, or claimeth to haue any estate of inheri-
tance, lease, or rent, not already entered of record, or certified in the Exche-
quer, of, in, to, or out of, any manors, lands, or hereditaments, by or under
any graunt, or assurance whatsoeuer, made sithence the beginning of the
Quenes raigne, by any of the persons attained for matter tending to the
hurt, death, or destruction of the Quene, or to any actual Rebellion, or
Inuasion, or for being adherent, or giuing aide, or comfort to any of the Qu.
enemies, sithence the eight day of Februarie, in the eighteenth yere of the Qu.
raigne, shall within two yeres after the end of this Session of Parlia-
ment openly shew forth the same in the Exchequer : And there in terme time
in open Court exhibite the same assurance, (or) vpon his oathe affirming,
that he hath not, nor can come by the same, or that it was neuer put in wor-
ting) When the effect thereof in writing to be entered, and inrolled of record :
or else euery such assurance shall be void to all intents. Et sic, vt supra. 18.
Eliz. 4. R.

**Shirifes.
Execution.**

4 How much any Shirife or his officer may take for the serving of an exe-
cution, and the penaltie if he take moze. AB. Shirifes 35.

**Statutes
continued.**

5 The Statute of 5. Eliz. 9. touching Perjuries, and of 13. Eliz. 5. con-
cerning fraudulent Deedes, and of 5. Eliz. 13. touching repaire of High wayes,
made perpetuall, And certaine other statutes made in the raignes of King
H. 8. R. C. 6. & Q. Eliz. continued until the end of the next Parliament. R.

- 31.El.10. In what case the defendant in a suit upon a penall law may appeare by Att. Turney. AB. Attorney 14.
- 23.El.1.
35.El.1.&2.
1.lac.4.
3.lac.4-5. 6 Certaine assurances made by Recusants of their lands, shall be void against the Quene. In what courts conviction of Recusancie shall be. At what time, and in what place Recusants shall pay their money forfeited: and the penaltie if they pay not the same at the time and place prescribed. Indictment of a Recusant, and Proclamation thereof. A Recusants submission. AB. Recusants 8.&c.
- 7 A Subsidie of vj.s. in the pound graunted to the Quene by the Clergie, to be paid in ty.yeres. BP. Subsidie. Clergie.
- 8 A Subsidie and two fiftiethes graunted to the Quene by the Temporalitie. BP. Subsidie. Temporalitie.
- 9 A Confirmation of the Quenes generall and free Pardon: Except ec. BP. Pardon.

Statutes made at the Session of Parliament holden

at Westminster 4.th die Februarij, Anno 31. Eliz.

& Anno Dom. 1589.

- ¶ 1 The not coming of the L. Chancelor, & the L. Treasurer, or of either of them at the day of Adjournment, in a writ of Error pursued according to the Stat. of 31. Ed. 3. 12. shall be no discontinuance of such writ. Three of the Justices of the common place, and Barons of Exchequer may receive writs of Error and award Procees, according to the Stat. of 27. El. 8. Error sued in Parliament. AB. Error 2. 5. 6. 7. Error.
- 1.R. 3. 7.
4.H. 7. 14. 2 A fine leuied in the common place shall be proclaimed only foure times, viz. every terme once of foure termes. AB. Fines 3. Fines.
- 3 Three proclamations shall be made in euery action personal, wherein any writ of Exigent shall be awarded. The defendant upon a writ of Error sued shall be bound to answer the plaintife, and to satisfie the condemnation. AB. Exigent 13. 14. A Proclamation shall be made of the Summons in a reall action. AB. Proclamation 1. Exigent. Proclamatis.
- 18.El.5.
37.El.10. 4 It shall be felonie to imbezill the Q. ordinance, armour, or viatnall, to the value of xx.s. provided for soldiers &c. AB. Armour 3. Armour.
- 5 Persons shall be informers, which be restrained by order of any of the Qu. courts. In euery Information upon any penal statute, the Countie shall be expressed where the offence was done (sauing in certain cases.) Suits upon certaine statutes shall be only prosecuted at the Qu. Sessions, generall Assises, or in a Leet. AB. Actions &c. 8.&c. The Stat. of 7. H. 8. touching Informations upon penall Stat. repealed. Informers. Information.
- 6 The severall penalties for taking a reward for giuing voice in election of a Fellow, Scholer, &c. in any Colledge, Hal, Societie, &c. for giuing or taking of money for resigning a place in any such Colledge: for presenting or collating, or admitting to a Benefice for reward: for corrupt resigning, or exchanging of a Benefice: for taking of rewards of a Minister, or for giuing Orders, or licence to preach. AB. Ecclesiasticall 36.&c. Exberie in Colledges. Simonie.
- 35.El.6. 7 The severall penalties for building, or maintaining of a cottages, without laying of foure acres of land to it. The penaltie for placing, or suffering of an inmate. AB. Cottages 1.&c. Cottages. Inmates.
- 1.lac.35.
23.H.8. 8 Vessels brought from beyond the sea for Ale, or Beere, into London, or within two miles compassse shall be ganged. What shall be taken for the ganging. Ganging of vessels.

Queene Elizabeth.

- gauging of them. AB. Coopers 4. &c.
- Exigent in Durham.** 9 A writ of Proclamation shalbe directed to the Bishop of Durham, upon an Exigent awarded against any person dwelling in that Bishopricke. The penalty if he do not returneit. The Bishop of Durham shall haue a deputy in the B. Bench, and the common place. Writs against outlawed persons in the said Bishopricke, shall be directed to the Bishop there, or his Chauncelloz. AB. Exigent 15. &c.
- Attornies.** 10 Certaine Statutes made in the raignes of B. H. 8. & Ed. 6. & M. Eliz. continued vntill the end of the next Parliament. ^{EXP.} The Stat. of 19. El. 5. touching making of Attornies in suits, vpon penall lawes, shall extend onely to naturall borne subiects, or free Denizens. AB. Attornies 14.
- Restitution. Force.** 11 There shall be no restitution vpon an Indictment of forcible entry, or withholding with force, where the defendant hath bene thre yerres in quiet possession, and his estate not ended. AB. Force 4.
- Sale of horse.** 12 That person which selleth a horse in a faire or market, must be knowen to the toll taker, or some other, who will avouch the sale, which shalbe entred into the toll booke. The owner may redeeme his stolen horse within six moneths, paying the price. AB. Faires &c. 7. 8. All accessories to horse stealers shall be put from their clergie. AB. Clergie 13.
- Doner hauen.** 13 The statute of 23. El. 6. touching the repaire of Doner hauen, shalbe re-
mained, and continued during vy. yerres. Euery Customer and Officer shall be answerable for the wilfull default and negligences of his deputie, so farre as by the same statute he was for his owne. ^{EXP.}
- 14 Confirmation of the Subsidies granted by the clergie. ^{EXP.}
- 15 Two subsidies and foure sixtens graunted by the Temporalitie. ^{EXP.}
- 16 A generall pardon. ^{EXP.}

Statutes made at the Parliament holden at West-

minster 19. die February, Anno 35. Reg. Eliz.

& Anno Dom. 1593.

- Recusants.** ¶ 1 The punishment of that person, which obstinately refusing to come to the Church, shall perswade other to impugne the A. authoritie in causes Ecclesiasticall. Which offendor not conforming himselfe, shall abiure the Realm. The penalty of an offendor refusing to abiure, not departing the Realm, or returning without licence. An offendor's submission: his retaple: The penalty for keeping a Recusant in his house after warning, certaine persons excepted. AB. 3. Jac. 4. Recusants 18. &c.
- Recusants.** 2 The penalty if a convicted Popish Recusant do remoue aboue v. miles from his house. Where a recusant hauing no house shal make his abode: & that he shal notifie to y^e minister &c. In what case a recusant shal forfeit his copihold land. A recusant of smal ability shal abiure the realme: The penalty if he refuse to abiure, do not depart, or returne without licence. A recusant restrained, may trauele by licence, or yeeld his body to y^e whirle. A recusants submission: his relapse. How farre married women shalbe bound. AB. Recusants 28. &c.
- Abbey lands.** 3 All Abbey lands which came to the possession of B. H. 8. & were put in charge in any court, or by any officer for him, or were granted by him to any person or persons, body politick, or corporate, shall be aduindgen to haue been in the actual and lawfull possession of the said King, his heires &c. The Letters Patents of B. H. 8. for the foundation of any Deane & Chapter, or Colledge, shall be reputed good. AB. Patents 18. 19.
- Patents.**

39.El.11.

4 Every parish shalbe charged with a summe weekly, towards the reliefe of like, hurt, and maimed souldiers and mariners. *Donniders. Souldiers. Mariners.*

5 A confirmation of the attainders of Sir Francis Englefield, that went forth of the Realme An 1. Eliz. by the D. licence, and was attainted of high treason, as well by the Stat. of 29. El. 1. as by the common law. His lands established to be in the Duene, her heires, successors, or assigns. The Du. shall take the advantage of renouating of an assurance with a condition, made by him, upon the tender of a King of gold. *Francis Englefield.*

31.El.7.

6 No new buildings shalbe erected within 3. miles of London, or Westminster. One dwelling house in London, Westminster, or 3. miles thereof shall not be converted into more. No Ymages, or vnderfitters shal be in the places aforesaid. Commons or wast grounds lying within 3. miles of London shall not be inclosed. A mile shall containe 5. furlongs, every furlong 40. poles, and every pole shall containe 16. foot and a halfe. *Rebuilding by London.*

5.El.5.
27.El.11.

7 Seuerall Statutes made in the reaignes of King H. 8. King Edw. 6. and Quene Eliz. reuined and continued vntill the end of the next Parliament. *Rebuilding by London.*
8 A Repeale of part of the Statute of 5. Eliz. 2. concerning Tillage. Of the whole Statute of 24. H. 8. 4. and of so much of the Statute of 5. Eliz. 5. as concerneth the sowing of Hemp and Flaxe. Every person eating flesh upon fish daies, shall forfeit only 11. s. and he in whose house it is eaten, 11. s. iiij. d. AB. *Hemp. Fishdaies. Corne.*
9 Of what prices seuerall sorts of coine shall be, when they may be transported. AL. 1. Iacob. 25. A Repeale of so much of the Statute of 14. Eliz. 5. and 18. Eliz. 3. as concerneth the punishment of Vagabonds by gaoling, boxing through the eare, and death for the second offence. No person dwelling within five miles of Oxford shall be charged with the repaire of bridges and high waies there, according to the Statute of 18. Eliz. 19. vntlesse he hath in possession one yardland: And then he shall pay for euery yard land yearly but iiij. d. before Pentecost, to the Vice-Chauncello, and Spaior, or their Deputie, towards the said repaire, and no other penaltie. During twentie yeres lands may be given for the maintenance of any house of correction, or of poore peoples stockes, without licence of Mortmaine. AB. *Vagabonds. Highwaies near Oxford.*
10 Certaine shippes and vessels passing from port to port within this Realme, discharged of payment of iiij. d. a Tunne towards the repaire of Dover Haven, granted by the Statute of 23. Eliz. 6. The Statute of 27. Eliz. 17. touching the breadth of white Clothes made in the Counties of Gloucester, Somerset, and Wiltshire, made perpetuall. AB. *Dover haven. Cloth.*
11 Draperie

18.El.3.

43.El.10.

27.El.17.

1.Jac.25.

1.Jac.25.
3.Jac.11.

8 The seuerall penalties for making of Cables of old stuffe, being above 3. Cables vnder vij. ynches in compass. AB. Cables 3.4.

9 Of what length, breadth, & weight, Blankets, Azures, Blewes, or other coloured Clothes made in Wiltshire, Gloucester, or Somersetshire shalbe, & the penalties for default thereof. AB. Draperie 13.27. S.43. El.10. part of this statute repealed. *Cloth.*

10 The weight and length of a Devonshire Kerse ratw, and of a Rudge wash Kerse. A weauer shall weane his shoppe marke, and a purrel at the end of euery of the said Kerses. Dozens shal be viewed, weighed, and marked, before they be put to sale. Searchers of Devonshire Kerses, and their authorities. A dozen shall not be cut, and after put to sale as whole. AB. Draperie 104.&c. *Devonshire Kerse.*

11 A quantity of Claphord shalbe brought into this realme for beere, or fish transported. Wine Caske shall not be transported, but for certain purposes. AB. Claphord 1.&c. *Claphord.*

Queene Elizabeth.

- Subsidie.** 12 A confirmation of two Subsidies of iij. s. in the pound, to be paid in two yerres, graunted to the queene by Clergie. EP.
- Subsidie.** 13 A confirmation of three Subsidies, and six Fiftieths and tenths granted to the Queene by Temporalitie. EP.
- Pardon.** 14 A confirmation of the Quenes generall and free pardon: Except &c. EP.

Statutes made at the Parliament begun at West-

minster 24. die Octobris, Anno 39. Reg. Eliz.

& Anno Dom. 1597.

- Husbandry.** 1 A Repeale of the stat. of 4. H. 7. 19. and of all other statutes ordained against the destruction of towne, and houses of husbandrie. The penaltie for decayng houses of husbandry, sithence the beginning of the Q. raigne, viz. before seven yerres, or within seven yerres. The duty of the heire, executor, administrator, successor, or assigne of an offender, of the purchaser. Within what time building or repaire of the said houses shalbe made. Houses of husbandrie shalbe kept in repaire. A gentleman may take into his hands six score acres of land, or two houses. AB. Husbandrie 2. &c. 1. Jac. 25.
- Tillage.** 2 Arable land which hath bene made pasture, sithence the beginning of the Q. raigne, shalbe againe converted to tillage, that which is arable shal not be converted into pasture, or wood, but in some cases. The conversion of tillage into pasture shall be no cause of breach of any covenant, bond, &c. AB. Husbandry 18. &c. 1. Jac. 25.
- Poore.** 3 Who shalbe officers of the poore: by whom and when they shalbe appointed: their office, and duty: their account: their forfeitures &c. EP. 43. Eliz. 2.
- Vagabonds.** 4 A repeale of all former statutes made for the punishment of vagabonds & sturdy beggers, and for the erection or maintenance of houses of correction. The Ju. of Peace of euerie County shall set downe orders for the erection, and maintenance of houses of correction. Who shalbe accounted Vagabonds. The punishment of a dangerous Vagabond. The forfeiture for not apprehending a Vagabond. The penaltie for bringing into this Realme of Irish, Scotish, or Spanishe Vagabonds. Commissions shalbe awarded to inquire of money gathered for houses of correction, or stockes for the poore. AB. Vagabonds 1. &c. 21. H. 8. 12. 27. H. 8. 25. 11. H. 7. 2. 14. Eliz. 5. 18. Eliz. 3. 7. Jac. 4.
- Hospitals.** 5 It shalbe lawfull for any person to erect an Hospitall, or house of correction, which may purchase and enioy any goods and freehold lands, not exceeding the yerely value of CC. l. &c. AB. Hospitals &c 2. &c.
- Charitable uses.** 6 Commissions may be awarded to certaine persons to inquire of lands or goods given to Hospitals, or other charitable uses, misemployed & reform them. EP. 43. El. 9. Saving for the execution of orders and decrees before made by Commissioners, according to this statute. 43. Eliz. 4.
- The Qu. Debtozs.** 7 The Quene may sell her accomptant, or debtozs lands in his life time, & after his death. To which accomptants only this statute doth extend. Where shalbe no sale of land, where the debtoz hath a Quietus est. If the Q. be satisfied, the sureties shall be discharged. What prizes shall be awarded where the debt doth grow in the Court of wards, or Duchie. Prizes against the terretenant before the sale of his land. EP. 13. El. 4. 27. El. 3. 1. Jac. 25.
- Bishops.** 8 Every deprivation of any Bishop or Deane made in the beginning of the Q. raigne, shalbe good. Archbishops, Bishops, and Deanes, made by the Q. shall be abidged lawfull. AB. Bishops 7. 8. 8. El. 1.

- 3.H.7.2. 9 He that taketh away a woman against her wil, that hath lands, or goods, women.
or is heire apparant to her aunce or, shall lose the benefit of his Clergie. AB.
Women 13.
- 10 A Repeale of the statute of 23.El.7. restraining Englishmen to goe or fish.
send into any foraine countrey for the buying and bringing into this Realme
salted herring, or salted fish. The D. subjects may transport fish in ships with
crosse sailes. What customes Aliens shal pay for salted fish and herrings. Un-
wholsome fish after warning shalbe forfeited. AB. Fish 17.&c. Ordinances of
companies to restraine taking, buying, or selling of fish, shalbe void. 43.El.
9.
- 23.Eliz.9. 11 The penaltie for mixing, or using of Logwood in Dying of Cloth with Dying of
wood, or other stuffe. AB. Dying 2. cloth.
- 5.Eliz.4. 12 What workemen or labourers wages J. of Peace may assesse. The ra- Labourers
1.1a.6.&25. ting of wages where J. of peace of one countie do keep Sessions in feneral di- wages.
visions of the same. There shalbe proclamations of the rates of wages made by
the J. of Peace. AB. I. of Peace 66.
- 21.H.7.27. 13 The L. Spaiers of London, and the Spaster and Wardens of Clothwoor, Justians.
kers there, or their assignes, may search all persons strypping the broad
sheere. AB. Fustians 2.
- 1.Jac.25. 14 No Cardes for wooll shal be brought into this Realme to be sold. AB. Cardes.
Cardes 1.
- 7.Ja.25. 15 He shall not have his Clergie which robbeth a house in the daytime, of Clergie,
the value of v.s. AB. Clergie 13.
- 1.Jac.25. 16 Justices of Peace in Counties, and Spaiers and other officers in cities, Gaule.
and townes corporate, may restraine excessive making of Spault. AB. Maul-
6.&c.
- 1.Jac.25. 17 Wandring Spainers, Souldiers, and other idle persons, shall settle Spainers.
themselves to worke. They shall have Testimonials. The punishment for
counterfeiting testimonials. The reliefe of Souldiers and Spainers. AB. Ma-
riners 4. &c.
- 18 The statute of 13.El.8. provided against usurie, 27.El.4. against frau- Usurie.
dulent assurances, and of 27.El.7. for the leuying of issues lost by Juroys, made fraude.
perpetuall. Severall other statutes made in the raignes of R.H.8. R.Edw.6. Issues.
and Qu. Eliz. renewed, and made to continue untill the end of the next Par-
liament. 27. A repeale of the statute of 13.Eliz.19. touching the wearing of
cappes. Caps.
- 19 A repeale of so much of the statute of 27.El.19. as concerneth the amend- Waies.
ment of high waies in Sussex, Surrey, and Kent. Another ordinance made
for the repaire of waies in the Welles of Sussex, Surrey, and Kent, used for
pon waykes. AB. Highwaies 19.&c.
- 43.El.10. 20 No person shal stretch or strain any cloth made on the North side of Cloth.
5.El.6.6. Trent, nor shall use any tenter, or other engines to stretch or straine clothes.
The owner shall set his seale of lead unto his clothes, before they be put to sale,
containing the length & weight thereof. Overseers shalbe appointed, who shall
search and try the said clothes, & fix a seale thereunto. Just. of P. head constables,
and overseers shal search for tenters, ropes, wenchers, &c. Fortherne cloth
brought to London may be searched there. AB. Draperie 112.&c.
- 21 A further taration shal be made for the reliefe of sicke and maimed soul- Souldiers.
diers and mariners, where sufficient was not provided by the statute of 35. Spainers.
Eliz.4. 43.El.4.
- 22 The establishment of the Bishopricke of Roxwich, and the possessions Bishopricke
of the same, against a pretended concealed title made thereunto, by colour of
of

Queene Elizabeth.

of a graunt in fee farme made by the Quene, by her letters patents dated 2. Augusti Anno 27. of her raigne, to certaine persons, vnder the name of a Cottage, and all Lands, Tithes, &c. within the Deanries of Flegge Worke &c. in the Countie of Norfolk, to the late Monastery of S. Benets of Hulne belonging, at & vnder the yerely rent of xl.s. which monasterie, with the possessions thereof by a Statute made Anno 27. H. 8. were vntied to the Bishoppe of Norwich. R.

Retwopst
and Carlion
Bridges.

23. The inhabitants of the Countie of Donmoth shall for ever stand chargeable for the maintenance, amending, and new making of the Bridges of Retwopst and Carlion, ouer the riuer of Ulke in the said Countie, and either of them as oft as need shall require. And such order and direction shall be obserued for the assesment, gathering, and imployment of the money thereupon to be spent, as is appointed by the Statute of 22. H. 8. 5. But no towne corporate within the said Countie shall be chargeable to be contributarie therunto, which is bound by any law to make or repaire any Bridge ouer any maine Riuer. R.

Wilton brydge.

24. A conuenient Bridge of Stone, or Timber, or both, shall be made and finished at Wilton vpon Wyke, in the Countie of Hereford, nere vnto the Towne of Koffe, by the inhabitants of the said Countie, in such place there, as by the Iustices of peace of the Countie shall be appointed, within seven yerres next after the dissolution of this Parliament, being 9. die Februarij, An. Dom. 1597. Pontage shall be taken of the said Bridge in foyme following, and not otherwise, viz. every person shall pay for every Cart, Carre, or Waine laden wimen ouer the said Bridge, y. d. and for every horse laden with a packe, s. d. and for every ten shepe, or upward to twentie, y. d. & for every twentie shep, iy. d. and for five beasts, to the number of twentie, y. d. and for every twentie beasts y. d. & so proportionably according to that rate. Two Bourgeses of the towne of Koffe, & two freeholders of the countie of Hereford shall yerely chosen collectors of the said Pontage: to whom, or to their deputies, if shall be lawfull to distraine, & impound any persons beasts, shepe, &c. refusing to pay the said Pontage. And the said collectors shall yerely pay to Charles Bridges, his heires, or assignes (vpon whose land the said Bridge shall be builded) x. l. at the Feast of S. Michael. And the said collectors shall yerely make account of the profits of the said Pontage. R.

Weinherthe
hundred.

25. A remedy for the inhabitants of the hundred of Weinherthe in the countie of Berks, for the reuerie of such summes of money as shall be obtained of them by force of the Statute of 27. El. 13. AB. Huy and cry 11. &c.

Subsidie.

26. A confirmation of thre subsidies of iij. s. in the pound granted to the Quene by the Clergie. R.

Subsidies.
Assises.

27. A confirmation of a grant made to the Qu. by the Temporalty of thre entire subsidies, and six assises and Tenths. R.

Pardon.

28. A confirmation of the Qu. generall and full Pardon, Except &c. R.

Statutes made at the Parliament begun at West-

minster 27. die Octobris, Anno 43. Reg. Eliz.

& Anno Dom. 1601.

Confirmation
of assurances.

¶ 1. A confirmation of the assurances made to & for the Quene, of any lands &c. sithe 8. die Februarij, Ann. 25. of her raigne: And likewise of all Letters Patents, and other writings made by the Quene to any others, sithe the said 8. Februarij, or to be made within one yere after the end of this

this Parliament, notwithstanding any misnaming, misrecital, &c. To what Letters Patents this Statute doth extend, and to what not. AB. Patents 8. &c.

1. Jac. 25. 39. El. 3. 2 The Churchwardens and certaine householders in every Parish, shall be The poore. Duersters of the poore. Their office, dietie, and accompt. Building of houses for the poore. Relief of the prisoners in the Kings Bench, and Marshalse, and of the Hospitals. An ordinance for the Island of Fowlenes in Essex. AB. Poore 2. &c.

1. Jac. 25. 3 A repeale of the Stat. of 35. Eliz. 4. & 39. Eliz. 2. 1. concerning the reliefe of Souldiers and Mariners. Every Parish shall be charged with a weekly contribution, towards the reliefe of sicke, hurt, and maimed Souldiers, & Mariners. Who shall receive the same, & pay it to the Sparner or Souldier. The punishment of a Sparner or Souldier taken begging, or counterfeiting a certificate. AB. Captaines 17. &c.

39. El. 6. 4 Commissions may be directed to certaine persons, to inquire of the Charitable abuse or misemployment of lands or goods given to Hospitals, or other Charitable uses, and by their orders to reforme the same. AB. Hospitals 10. &c.

1. Jac. 25. 5 At what time a writ to remoue a suit depending in the Court of a towne Remouing a copyorat, shall be deliuered to the Judge or Officer of the same Court. AB. Remouing &c. 3.

1. Jac. 25. 36. 6 The penaltie of a Sherife, or other, which shall make a warrant to sum- Arrest with- mon or arrest any person, not having before an originall Proces. AB. Sherifes out warrant. 36. No costs for the plaintife where an action is brought for a summe not ex- Costs of suit, ceeding 10. s. AB. Damages 16.

7 The punishment for cutting of cozne growing, or of such other small of- Small offen- fences. And the penaltie of a Constable being commanded, to refuse to punish ces. such an offender. AB. Trespas 1. &c.

8 He that by colour of a fraudulent administration, taken in the name of another, doth receive an Intestate goods, or debts, shall be for so much charged as Executor of his owne wrong. AB. Administrators 2. Fraudulent administration.

1. Jac. 31. 9 Generall Statutes made in the reignes of King Henrie the eight, King Edward the first, and Queene Elizabeth, reuiued and made to continue untill the end of the first Session of the next Parliament. AB. A repeale of the Sta- Breach of tute of 39. Eliz. 6. made to reforme the breach of trusts of lands given to chari- trusts. table uses, saving of such decrees as be made by Commissioners by force of the said Statute. There shall be paid towards the repaire of Dower houses three pence a Tunne, but only for the merchandise wherewith a ship shall be laden, notwithstanding the Statute of 23. Eliz. 6. A repeale of part of the Statute of 39. Eliz. 10. touching ordinances of Companies to restraine buying, taking, or selling of fish.

27. El. 18. 4. Jac. 2. 10 No deceivable things shall be put in woollen cloth. No denise shall be made to stretch woollen cloth in length or breadth. The length and weight of woollen clothes made to be sold. The Statute ordained 39. Eliz. 2. for No- therne clothes, shall extend to clothes made in other countries. Cloth sealed by Duersters shall not be searched againe. A repeale of so much of the Statute of 27. Eliz. 17. and 35. Eliz. 9. as concerneth the exceeding of the length of clothes, mentioned in the Statute of 5. Ed. 6. 6. and of so much of the Statute of 4. & 5. P. & M. 5. as toucheth Certificats of faultie cloth. A Merchant shall take no advantage of a Clothier, for any defect in cloth transported, but in some cases. AB. Draperie 122. &c.

Queene Elizabeth.

- Approuements of Parishes.** 11 A contract may be made betwene the Lords and commoners of great Parishes in severall Countie, and those persons which shall undertake to keepe them perpetually drye. The A. assent requisite, where the shall be owner of the soile. AB. Approuements 8. &c.
- Policies of assurances.** 12 Commissions shall be awarded to certaine persons to heare and determine policies of assurances among marchants. The Commissioners authoritie. A remedy for the partie grieved by the Commissioners decreet. AF. Marchants 15. &c.
- Rapines in Cumberland &c.** 13 A remedie to repress the imprisoning, ransoming, taking and carrying away of prisoners, spoiling of their goods upon deadly felow, giuing, or taking of blacke shalle, burning of barnes, or stacks of coze in Cumberland, Northumberland, Westmerland, and the Bishopricke of Durlesme. And a meane to apprehend outlawes there. AB. Robberie 1. &c.
- Fuell.** 14 A repeale of the penaltie of the Statute of 7. Ed. 6. 7. ordained for the assise of fuell: And another forfeiture assigned. Of what compasse tall shides, bullets, and sagots, shall be. AB. Fuell 1. &c.
- Fines leuied in Chester.** 15 Fines may be leuied before the Shai; of Chester, of lands lying within the Countie of the city of Chester. And a *Vedimus potestatem* may be granted by the Shai; of Chester to others, to receive the acknowledgment of a fine. Before whom such fines may be renewed. AB. Fines 14. 15. 16.
- Edon bridge & Westberke.** 16 The Countie of Cumberlanc shall stand chargeable for the erecting, maintaining, repairing, and new making of Edon bridge, and Westberke bridge, standing ouer the river of Edon, when, and as often as needs shall require: And for the assessment, rating, collection, and employing of such workes, and summes of money, as from time to time shall be needfull for the building, and repairing of those bridges, such forme; and order shall be observed in all things, by, and through the said Countie, as is appointed by the Statute of 12. H. 8. 5. ordained for the repaire of bridges. But the inhabitants of the Lordship of Wyllan, shall not be chargeable with any contribution thereunto. R.
- Wyllan. Subsidies. Clergie.** 17 A confirmation of foure Subsidies of iij. s. in the pound, granted to the A. by the clergie. R.
- Subsidies.** 18 A grant by the temporaltie to the A. of foure entier Subsidies, and eight sixtens and tenths. R.
- Wardon.** 19 A Confirmation by Parliament of the Quenes generall and free pardon, Except, &c. R.

Statutes made at the Parliament begun at Westminster 19. die Martij, Anno 1. Reg. Jacobi, & Anno Domini 1603.

A Recognition, that immediately upon Quene Elizabeths death, the Crowne of England, and all the dominions belonging to the same, did by inherent Birthright, and lawfull succession, descend, and lawfully, and lawfully come unto our soueraigne Lord King James, his progeny, and posteritie for ever. AB. Crowne 1.

Descent of the Crowne.

2 An authoritie given to certaine commissioners, viz. to 14. Lords of the higher house, and to 30. Knights, Citizens, and Burgeses of the house of the Comons, to treat with certaine Commissioners of Scotland, before the next Session of Parliament, for the weale of both kingdomes: which Commissioners shall reduce their proceedings therein to Instruments tripartite, & shall present the one to the King, the second shall be offered to the consideration of the Parliament of England, at the next Session, and the third to the consideration of the Parliament of Scotland.

English and Scottish Commissioners.

3 All assurances to be made to the king, by any Archbishop, or Bishop, of any lands being parcell of the possessions of his Bishopricke, shall be void. AB. Ecclesiasticall 6.

Bishops assurances.

4 All Statutes made in the reigns of Quene Elizabeth against Jesuites, priests, &c. and those which concerne the withholding the kings subiects from their obedience, and the Religion now professed, and the taking of the othe of obedience to the king, and those that were made against any manner of Recusants shall be put in execution. A Recusant conforming himselfe, shall be discharged. In what case the heire of a Recusant shall be charged for his auncestors offence, and in what not. The two parts of a Recusants lands, and leases, forfeited to the king for default of paiement of xx. l. a moneth, shall goe toward the paiement of the said xx. l. and the third part shall not be seized. The penaltie of a Schoollmaster which shall teach in a Recusants house, and of him that doth retaine him. AB. Recusants 40. &c. The severall penalties for going, or sending any other person forth of the Realme, to any Seminarie, to be instructed in the Popish religion, or being there not to returne: & for any woman, or childe, under the age of xvj. yeares, to passe over the sea without licence. AB. Idols 14. &c.

Priests. Recusants.

5 No Steward of any Hæf, or Court Baron, shall take benefite to the value of twelve pence, by colour of the graunt of the profits of any such Court. AB. Leetes 16.

Stewards of Courts.

6 To which labourers, or artificers, the Statute provided 5. Eliz. 4. for the rating of servants wages shall extende. An ordinance for the rating of wages where the Justices of peace do keepe Sessions in severall divisions. Proclaimeing of the rates of wages. The penaltie of a clothier refusing to obey the assessements of wages. A proviso for a clothier being a Justice of peace. AB. Just. of peace 66.

Servants wages.

7 No licence given by a Baron, or any of greater degree, shall availe players in Enterludes. Classe-men shall be punished as rogues. A dangerous rogue shall be marked on the shoulder with a hot yron. Every person that apprehend a rogue, and carrie him to the Constable or Tithingman, which shall punish him. AB. Vagabonds 2. 4. 5.

Vagabonds.

8 The benefite of Clergie taken from that person, who shall stab an other

stabbing, which

3. Jac. 3.

27. El. 1.

23. El. 1.

29. El. 6.

35. El. 1 & 2.

1. El. 1.

5. El. 1.

3. Jac. 5.

39. El. 12.

King James.

- which hath not a weapon by stone. AB. Murder 7. 8. Clergie 2.
- Alchouse.** 9 The penaltie for an Alehouse-keeper to suffer any person to remaine tippling in his house. Penalties for selling Ale or Beere at too high prices. The penalty of Constables or Churchwardens that do not leuie, or certifie the default of distresses. AB. Alehouse 6. &c. 7. Jac. 10.
- Reposits.** 10 No person to whom a cause shall bee referred by any Court, or Judge, shall take any thing for his report. AB. Iustice 2.
- Second marriage.** 11 It shall be felonie to marie a second husband, or wife, the former being alive. AB. Matrimonie 8. &c.
- Coniuration. Witchcraft.** 12 A Repeale of the Statute of 5. El. 16. touching coniuration, witchcraft &c. The penaltie for practising Inuocation, or Coniuration, whereby any person is killed, lamed, wasted, &c. And for declaring by witchcraft where any treasure or stolen things be, and for prouoking to lone, or destroying of cattell. AB. Coniuration 1. &c. 33. H. 8.
- A new execution.** 13 A new execution may be sued against him which shall bee deliuered out of execution by priuiledge of Parliament. They shall bee discharged out of whose custodie such priuiledged persons shall bee deliuered. AB. Execution 4.
- Small debts in London.** 14 A remedy for a man of London to recover a debt not exceeding 10. s. owing to him by another inhabiting within the said Citie, or the liberties. A penaltie if the debtor doe not appeare before commissioners upon warning, or if the creditor or debtor doe not performe their order, or if the creditor being a free man of London, doe sue any other free man out of the same citie, for a debt vnder 10. s. 3. Jac. 15.
- Bankrupts.** 15 An exposition and addition to severall branches of the Statute of 13. El. 7. touching Bankrupts. AB. Bankrupts 1. &c. 34. H. 8. 4.
- Watermen.** 16 What Waterman rowing betwene Windsor and Grauesend may take an apprentice, or servant. At what age the apprentice retained to serue must be. The eight ouers of watermen shall twice in the yeare read their orders. AB. Boatmen 13. &c. 1. & 3. P. & M. 16.
- Hats & Capps.** 17 The one moitie of the penalties inflicted by the Statute of 8. Eliz. 11. touching making of capps and hats, and also by this Statute, shall be forfeited to the king, and the other to such as will sue for the same. None shall make felts, or hats, but which hath bene an apprentice, nor shall set any person to worke them, borne out of the kings dominions. AB. Hats 4. &c.
- Hops.** 18 The penaltie for bringing into this Realme corrupt, or mixed hoppers: or for brewing of Ale, or Beere, to be sold, with them. AB. Hops 1.
- Garbling of spices.** 19 The forfeiture if spices shall not be garbled, and censured, and after sealed by the garbler, before the sale of them: And if the said spices shall be mixed with any thing after the garbling. The garbler of spices may enter into other mens houses, to search for vngarbled spices. AB. Spicerie 1. &c.
- Painter. Plasterer.** 20 No Plasterer shall vse the occupation of a Painter Stainer, in London or the liberties thereof. What colours a Plasterer may vse. A Painters day wages. AB. Painters 1. &c.
- Gods put in.** 21 No sale, exchange, or mortgage, of any household stuffe, or other goods in London, Westminster, or Southwarke, wrongfully purloined from any person, shall make any alteration of proprietie of the same. The penaltie if a Broker being demanded, shall deny to declare whether any such came to his hands. AB. Brokers 1. &c.
- Brokers.** 22 The dutie of Tanners, Curriers, Shoemakers, and other Artificers occupying the cutting of Leather. Buying and selling of Barke Purueitants of Timber. A penaltie for transporting of Leather. AB. Leather 1. &c.
- Leather.**

A repeale of the Statute of 5. Eliz. 8. touching the vsing, working, and cutting of leather, and of all other Statutes thereby repealed.

23 An ordinance for the preservation of fishing in the Countie of Somers, set, Denon, and Cornewall: And a provision for the defence of Walkers, Condoys, and fishermen, against malicious suits. AB. Fishers 21 &c.

24 Who only shall make Mildernix, or Potule Daup. The goodnesse, length, Mildernix, and breadth thereof. AB. Mildernix 1. &c.

25 Severall Statutes made in the raignes of H. 8. H. 8. Edw. 6. and M. Stat. renewed Eliz. shall be continued, and remains in force untill the end of the first Session repealed.

of the next Parliament. And a repeale of divers other Statutes. Coyne of what pices may be transported. AB. Corne. 6. No person shall incurre any penaltie for want of length, breadth, or weight, of Welsh Cottons, under the pice of fiftene pence the yarde, or two shillings the goad: so as they be not mixt with hayze, or other deceitfull stuffe: nor for any others above that price, except they be mixed as aforesaid, or shall mixke above the rate of halfe a yarde in twelue yards in length, or weigh lesse then fouretene ounces the yarde: or hold not full thre quarters of a yarde broad. AB. Draperie 19. Welsh Cottons

26 Certaine orders established for the Exchequer, first commaunded by a priue Seale from Quene Elizabeth, Anno 13. of her raigne, and after set downe, and made 15. die Iunij, Anno Domini 1573. by the Lord Treasurer, Chauncello, and Barons of the Exchequer, shall be observed. AB. Exchequer 10. &c. Exchequer orders.

27 The penaltie for shooting at, killing, or destroying, any fasant, Partridge, Pigeon, Hare, &c. or for the taking the egges of fassants, Partridges, or Swannies, out of their nests: And for the keeping of a grayhound, or setting dogges, or nets to take fassants or Partridges: And for selling, or buying to sell againe, any Ware, Hare, Partridge, or fasant. Who may take Partridges with nets, and when. Licence to hunt in a Gunne for Hawkes meat. AB. Fassants 6. &c. Taking of Fassants &c.

28 A Confirmation of the Kings Letters Patents, bearing date at Westminister 30. die Aprilis Anno secundo Regis Iacobi, graunted to the Mayor, Bailifes, and Burgeses, of the Borough of Berwick upon Tweede: And of the franchises, Liberties, and Customes of the saide Borough. R. Berwick Liberties.

29 To what sortes of flesh, Licences to eat flesh in Lent, and upon daies prohibited, shall not extend. Certaine officers authoritie in restraining the killing or dressing of some sortes of flesh. The penaltie of vjellers of flesh at daies prohibited. AB. Fish days 6. &c. Licences to eat flesh.

30 The inhabitants of Welcombe Regis, in the Countie of Dorset, within the Diocese of Wyndesore, may at their owne costs build a church upon the ground where the chappell now standeth, and the grounds adjoining, convenient to receive all the inhabitants of Radipoll, and inclose the wast grounds adjoining, to make a Churchyard for a place of buriall. After which Church is builded, it shall be called the Parochiall Church of Radipoll. And the newe Parson of Radipoll, and his successours, shall be Parsons thereof. And the olde Parish Church of Radipoll, shall be but a Chappell of ease. And the Patron of the olde Parish Church of Radipoll shall be Patron of the new. A new Mansion house in Welcombe Regis, assigned to the said Parson, and his successours for ever. R. Radipoll. Welcombe Regis.

King James.

Infected with the plague.

31 Taxations shall be made by the chiefe officers of cities, towne, &c. of the inhabitants thereof, for the relief of such persons as shall be infected with the plague. A remedy if the inhabitants be not able to relieue the infected persons: And where there be no Iustices of peace: And where the infection is in a village or hamlet. Certificat shall be made of the taxes at the Quarter Sessions. The penaltie of infected persons going abroad. Examiners, keepers, and buriers of the infected shall be appointed by the chiefe Officers. AB. Plague 1. &c.

Douer haven.

32 From the end of this Session of Parliament, during seven yeres, and no longer, there shall be paid by the Master, or owner of every ship, vessel, or trayer (sailing of Lime Regis in the Countie of Dorset) whereof any of the subjects shall be owners, or part owners, of the burden of 100 tunnes, or upwards, for everie voyage loading, or discharging within this Realme, or to or from any foreign countrey beyond the Seas, & passing to or from London, or to, from, to, or by Douer, or coming into the harbor there (not having a Coquet testifying his payment before) towards the repaire of Douer Haven, 3. s. for everie tunne, of the burden of everie such vessel &c. Except vessels laden with sea coles, or grindstons, And for everie chaldron of sea coles or grindstons 1. s. ob. which shall be paid to the Customes, Collectors of Customs, or Subsidies or their deputies, &c. R.

Subsidie.

33 A Subsidie granted to the King during his life, of tonnage, ponnage, wools, fells, leather, &c. AB. Customes 1. &c.

Statutes made at the second Session of Parliament holden

by prorogation at Westminster 5. die Nouembris, Anno

3. Regis Iacobi, & An. Domini

1606.

Pearely prayer for the kings deliuerie.

¶ 1 The Ministers in everie Cathedral and parish Church, shall alwaies upon every fift day of November say morning Prayer, and give thanks to God, for the deliuerance of the King, Queene, Prince, Lords, and Commons, assembled the same day in the upper house of Parliament, from a most cruell conspiracie inuented against them by certaine traitors, intending to blow the vp in the same house with Gunpowder. And all persons that upon that day resort to some Church where the said prayer shall be said, and there abide orderly during the time of the same. And every minister shall give warning thereof to the parishioners the Sunday before. AB. Sacrament & Service diuine. Ref. 3. Holy days &c.

Seuerall persons attainted of treason.

2 All and every the conuictions and attainders of Robert Winter, Thomas Winter, Guy Fawkes, Ambrose Rokewood, John Graunt, Robert Hayes, Thomas Bates, and Sir Cuerad Digby, shall be approued and confirmed. And as well they the said Robert Winter, R. W. G. F. A. R. J. G. R. B. L. B. & C. D. as also R. Catelby, L. Pearce, J. Wright, Ch. Wright, Hugh Dwyne, and Francis Tresham, for their most detestable treason in conspiring, and preparing the blotting vp with gunpowder of the Parliament house, shall stand and be adiudged, conuicted, and attained of high treason. And such and so many of the said offenders as are attained by the course of the common lawes shall forfeit to the king, his heires, &c. all their manors, lands, tenements, rights, conditions, offices, fees, and hereditaments, and all their goods, chattels, debts, and other things, which they, or any of them, or any other person, or persons, to any of their uses had, the day of their seuerall

treas

treasons specified in their severall indictments, or at any time sithence. And the said R. Catesby, T. Pearce, J. Wright, C. Wright, W. Dwyer, and Francis Tresham shall forfeit all their Houses, Lands, &c. which they had the dayes of their severall treasons committed, viz. the said R. Catesby, Th. Pearce, J. Wright, and Ch. W. the xx. day of May, Anno secundo Regis Jacobi: The said W. Dwyer the xx. day of May last past: and the said Francis Tresham the xiiij. day of October last past, or at any time sithence. And all and singular such Houses, Lands, Goods, Chattels, &c. of the said offenders, as shall be forfeited, shall be in the actual and real possession of the King, his heires &c. without any Office, or Inquisition to be taken or found. Saving the right of all other persons (but of the offenders and their heires) which they had before the said severall treasons committed. And also saving the lawfull Gift, Graunt, Bargaine, or Release of any Goods, Chattels, or Debts, made by any of the said offenders, to any person or persons, before the first day of November last. R.

1. Jac. 1.

3 All and every proceedings, matters, and things whatsoever, which are yet to be had, made, done, or performed of, or concerning the Act ordained (Anno 1. Jacobi. Touching a Treatie to be made betwene certaine Commissioners of the Realme of England, and certaine of the Realme of Scotland) in or about the full and small execution of the same, shall and may in every respect be as effectually and fully had, made, performed, and done in any other Session of this Parliament, as if the same had bene done in this Session.

English and Scottish Commissioners.

4 The penalty if a Popish Recusant conforming himselfe to repaire to the Church, shall not within one yeare after, and so once in every yeare after, receive the Sacrament of the Lords Supper. The Church-wardens and Constables of every Parish shall once in every yeare present the monethly absence from Church of all Popish Recusants, and of every of their children, of nine yeares of age, and of every of their servants, at the generall or Quarter Sessions. And their reward for the same. The Justices of Assize, and Gaole Delivrie, and Justices of Peace shall have authoritie to heare and determine the offences of Recusants, and of not receiving the Sacrament, and to make Proclamation, that the offenders body shall be rendered to the Sherife. The Forfeiture of the offender committed. The Certificat of a conviction recorded into the Exchequer. For default of payment, Procees shall be awarded, to seize the lands and goods of the offender. The King shall be at libertie to refuse twentie pounds a moneth of a Recusant, and to take two parts of his Lands, Leases, &c. But shall not have his mansion house: neyther shall let his two parts to a Recusant. A Bishop in his Dioces, or any two Justices of Peace may require a Recusant, or person, which hath not received the Sacrament twice within one yeare before, to take the Oath hereafter following. A certificat of the Receivers thereof. The penaltie of the Refusers thereof. The forme of the Oath. No Traveller to an Inditement shall be allowed to a Recusant, but to the direct point of not coming to the Church, saving after the partie hath conformed himselfe. The penaltie to go over sea to secus any foreign Prince, not taking the aforesaid Oath. A Captaine or Lieutenant going over the sea, shall be bound by Obligation in twenty pounds, with two sureties, not to be reconciled to the Pope, nor to enter into any practise against the King. Who shall accept the said Bond and Oath. The penalty for persuading, or being persuaded from the naturall obedience to the King, or to promise obedience to the Pope or Sea of Rome. Where the sayd offence shall be tryed. Tryall of Peeres offending. A penalty for

Recusants conformed.

Presentment of Recusants.

Forfeiture of a Recusant.

10. l. s. month, or two parts of lands, &c.

The Oath.

Traveller to an inditement

Going over the Sea.

Persuading.

23. Eliz. 1.

not

King James.

- not repaying every Sunday to Church. A Repeale of two Branches of the Statute of 35. Eliz. 1. touching relieving o; keeping a Recusant in his house. The penaltie fo; keeping a Recusant in his House, &c. Service, o; Liuerie. The Justice having a Writ, may breake open the house of any person excommunicated, fo; the apprehending of him. What Justices may enquire of the offenders of this act. The plea of any person against whom action shalbe brought fo; doing o; commaunding any thing, according to this statute. The Ecclesiasticall Jurisdiction saved: The husband shall not be charged fo; the wives offences in not receiving. Fo; any woman fo; the same offence happening during marriage. Who may accept the foresaid oth of a noble man o; woman. The Warden of the Cinque Ports, o; his assigne shall take the oath of them which passe out of the same, to serve any foreign Prince. AB. Recusants 40.&c.
- Keeping a Recusant.** The Keward of him that discovereth a Recusant relieving a Priest, o; a Priest that hath been laid, o; such as were present therat. A Popish Recusant shall not repaire to the Court, but in certaine cases. Popish Recusants shall depart from London, and tenne myles compasse thereof. Popish Recusants which shall remaine within London, o; ten miles thereof, shall depart from the said citie, and ten miles compasse, & shall deliver up their names to the Mayor of London, o; to the next Justice of Peace, saving such as be any Trade, o; dwell in London, o; within ten myles. A confirmati^on of the statute of 35. El. 2. concerning the confining of Recusants; & of the penalties thereof. The Po; also in the said statute, giving authority to certain persons to grant Licence to Recusants to trauaile out of the compasse of five myles, repealed. Who may give Licence to Recusants to trauaile aboute five myles. What offices, funditions, & places in the Commonwealth a Recusant shalbe disabled of. A Popish Recusant convict, o; to be convicted, o; having a wife convict, shal not beare any office. The forfeiture of a woman being a Popish Recusant convict (her husband not being so) after her husbands death. A Popish Recusant disabled to sue, as a person excommunicated. The penalty of a Popish Recusant otherwise married then in an open Church. A Recusants child shal be baptized by a Minister in the open Church. The penalty fo; burying a Recusant (not being excommunicate) otherwise then in a Church o; Church-yard. The penaltie of children which shall goe beyond the Sea, without Licence of the King, o; of the Privie Councell. And the forfeiture of them which doe send them beyond the Sea. And the penalty of them which are gone beyond the Sea without Licence. A Popish Recusant shall not present to any Benefice, nor grant any avoidance to a Benefice: But the Chancello; and Scholars of the Universities of Oxfo; and Cambridge shall have the Presentations to the same. A Recusant convicted shal not be Crecuto; o; Administrator to any, nor shall be Guardian of any child. And who shall have the education of such a child. None shall bring from beyond the Sea, print, buy, o; sell, any Popish Primers, Psalters, Manuals, &c. nor other superstitious bookes in English. Justices of Peace may search Recusants houses fo; Popish Bookes o; Reliques. Recusants Armour and Gunition shall be taken from them. The penaltie of a Recusant not declaring to the Justices what Armour hee hath. The Ecclesiasticall Jurisdiction saved. AB. Recusants 60.&c.
- Discovering the offence of a Recusant.** Recusants shall not come to the Court, o; London.
- Recusants** shall not come to the Court, o; London.
- Licence to Recusants to trauaile.** A Recusant shalbe no Officer.
- Woman Recusant.** A Recusant disabled to sue
- Going beyond the Sea.** Benefice. Indisposible.
- Benefice.** Indisposible.
- Executo; Guardian.** Popish bookes.
- Searching Recusants houses.** Recusants Armour.
- Recusants Armour.** Merchants.
- 6 All Merchants may trade into, and from Spaine, Portugal, & France, notwithstanding a Charter of Incorporation granted by the King under the great Seale, to divers Merchants, and their Company, only to trade thither. AB. Merchants. 19.

7 No Attorney, Solicitor, or servant shall be allowed any fee, or for money given for copies, without a Ticket subscribed by the receiver thereof. And they shall give unto their Clients a true Bill subscribed with their hands. The penaltie of an Attorney &c. for delaying his Clients sute, or for demanding more then is due. Who only shall be admitted Attornies. None shall follow a sute in anothers name. AB. Attorney 15. 16.

8 In what case onely execution shall bee staied by Writ of Error, sued for Execution the reverting of a iudgement given in an Action, or Bill of Debt. AB. Execution 5.

9 Who onely may dresse or transport Conie skinnes. How many Conie skinnes or Lambes skinnes at the least a Merchant must buy or sell at one time. Who onely a Skinner may take to be his Apprentice, Journeyman, or servant. How the forfeitures shall bee employed. AB. Marchants 20. &c.

10 An offender shall be conveyed to the Gaole at his owne charges, if he be able to bears them, if not, at the charge of the Parishioners where hee shall be taken. The defendants plea in Trespas, or anowise for any distresse taken, or sale made by force of this Act. AB. Prison 7. 8. 9.

11 It shall be lawfull for every person to transport Beers with the Caske unto any place beyond the Sea in amitie with the King, when the price of Beere shall not exceede xvj. s. the Quarter. What impost and Custome the King shall have for Beere transported. This shall be no prejudice to the buying in of Clapboord. AB. Corne 6.

35. Eliz. 11.

12 The forfeiture of such persons as shall set by any new Weare along the Sea Shore, or in any Haven, or within five myles thereof: or shall destroy the Spawne or frye of fish: or shall fish with any dray net under 3. ynches peece. AB. Fish 23.

7. Jac. 13.
5. Eliz. 11.

13 The penalties for unlawfull entering into any grounds enclosed, used for the keeping of Deere or Conies, and unlawfully to hunt there, without consent of the owner: or for any person not authorized to use any Bowe, Gunne, or Crossbowe to kill any Deere or Conies: or to keepe any Buckstall, Engine, Hayes, Gatenets, Pursnets, Ferrets, or Conie Dogs. The authority of the Justices of Assise, Peace, &c. herein. AB. Forrests 9. &c. Justices of Peace 34.

14 The Walls, Ditches, Bridges, Water-courses &c. within two myles of the Citie of London, which fall into Thames, shall be subject to the Commission of Sewers, and to all Statutes and Penalties made for Sewers. AB. Sewers 20.

15 A Remedy for a Trades man, Victualler, or Labourer in London, to recover a debt under 40. s. of a person of the like degree there. The penaltie if a Londoner doe sue in any other Court for a small debt, or of him which refuseth to appeare before Commissioners there, or to performe their award. AB. Debts 2. &c. The Repeale of a Statute made 1. Iacobi. 14. partly to the like effect.

16 A Repeale of the Statute of 14. Elizab. 10. ordained for the length of Kerseyes. Of what length and weight ordinarie Kerseyes, and of what sorting Kerseyes shall be. The Kings Custome of such Kerseyes. AB. Drapery 15.

17 No person shall incurre any penaltie for want of a content Seale, to containe the length, breadth, or weight of Welsh Cottons. No Welsh Cottons shall be searched or tried in the water by any, but the buyer. AB. Drapery 19.

King James.

**A new River
brought to
London.**

18 It shall be lawfull to the Lord Mayor, Commonalties, and Citizens of

the Citie of London, and their Successors, at any time hereafter, to begin and continue the laying out of such convenient limits of ground, for the making of a Trench, for a River of running water to be brought to the South parts of the said Citie of London, from the Springs of Catwell and Amwell, and other Springs in the Countie of Hartford, not farre distant from the same, at the breadth of tenne fote, and not above, as to them and their deputies, and workemen, with the allowance of the Commissioners hereafter mentioned, or any seven of them, shall be seen convenient. And in that place they shall finde most mete for that purpose to take the vse of so much ground as shall containe tenne fote in breadth, and not above, during and by all the length, as the said new Channell shall passe, for the conveying of the said water from the said Springs to London, leaving the inheritance of the New Cut in the owners thereof. And the said Mayor, &c. and their Successors for ever, (for the consideration hereafter expressed) shall have libertie to digge the same ground, to be employed for the said River, not exceeding tenne fote in breadth along all the said whole length of the said River or New Cut, and from time to time for ever to maintaine the same, and to lay the earth there to be digged on either side of the said River in such places as shall be thought mete for that purpose, and to have free passage to and from the said River, with Men, Horses, Carts, and Carriages, at all times convenient, and in places convenient, for the making of the said New Cut, and for the preserving of the same, and the Bankes thereof, from time to time for ever, to the intent, that no part of the said Streame be at any time after the making of the New Cut, without the consent of the Mayor, &c. turned, or conveyed out of the said New Cut or Watercourse. In consideration whereof, the Mayor, Commonalties, and Citizens of London, and their Successors shall make such satisfaction or composition to and with the Lords, Owners, and Occupiers of the same grounds, through which the new River shall be made, and with all such persons as shall sustaine any loss or hindrance in their Millles, standing upon any of the Rivers or Streames from which the water shall be taken, through the said New River, as shall be to the contentment of the said Lords, Owners, and Occupiers of the said Grounds and Millles: And in default of their agreement by mutuall assent, such satisfaction as shall be limited by the Commissioners to be assigned for that purpose by the Lord Chancelour, or Lord Keeper of the great Seale, by Commission under the great Seale, or by any nine of them, whereof foure to be Citizens of London. At the request and charges of the Mayor, &c. of London, Commission or Commissions shall be granted to such persons as the Lord Chancelour or Lord Keeper shall nominate, whereof foure shall be of the Countie of Middlesex, foure of Essex, foure of Hartford, and foure of the Citie of London, everye of them having Lands of the cleere yearely value of fortye pounds, which sixtene, or any nine of them, whereof two to be of the Citie of London, shall have power to order and set downe, what rates or summes of money shall be made by the Mayor, &c. of London, to the Lords, Owners, and Occupiers of the Grounds, and Hople, and Millles, for the which composition is to be made by the intent of this Act, if the parties cannot of themselves agree and in what manner the same shall be paid. And the partie to whom the same shall be due, shall or may recover the same against the Mayor and Commonalties of London by Action of Debt in any of the Kings Courts of Record at Westminster, wherein no C. P. or W. &c.

Recompence.

**Commission
at the Mayor
of London's
charge.**

**The remedy
of the partie
grieved.**

At

If there shall happen Breaches, Inundations, or Hurts in the New Cut, the Mayor &c. of London, at their owne charges, from time to time shall stoppe them, and maintaine them, and make sufficient recompence to the parties grieved, to be recovered by Action of the case, grounded upon this Statute. The Mayor &c. of London shall from time to time make Bridges and Wayes for passage of the Kings Subjects, their Cattell, and Carriages, over, or through the said New Cut, in places convenient: And all things done for the scouring, cleansing, and amending thereof, shall be at their charges. The Mayor &c. of London shall not put the said digging in execution, vntill all the Owners, Occupiers, and Lords be agreed with. After the said New Cut, streame or River shall be brought from the foresaid Springs to the Citie of London, the same shall be subiect to the Commission of Sewers, and to the Lawes and Statutes made for Sewers. And all Fines and Amerciaments which shall be imposed by vertue of the said Commission of Sewers, for any wilfull offences, to the hurt of the said River, shall be to the vse and benefit of the said Mayor, Communitie, Citizens, and of their Successors for ever. R. AL. 4. 120. 12.

19 The Owners, Tenants, Fermors, Inhabitants, and Occupiers of Lands, Tenements, and Hereditaments, lying in the Hundreds of Kingston, Emlynbridge, Copthorne, Eghingham, Wallington, Wotton, and Wigate (the Borough of Wigate excepted) in the Countie of Surrey, shall be charged with the Repairing, Amending, and Maintaining of the High Way, leading from Ronsuch to Kingston vpon Thames, in the Countie of Surrey, as lyeth betwene Cwell, and the Hamlet of Talworth, in the Parish of Long Ditton, from time to time for ever hereafter. The Iustices of Peace of the said Countie of Surrey, or foure of them at the least (whereof two to be of the Quorum) dwelling in the said Hundreds, or next therunto, shall haue authoritie from time to time to call before them such, and so many of the persons, (as they shall thinke meete) which by this Act are bound to repaire the said Highway: And thereupon to take and make such Orders concerning the amending of the said Highway, and for the charges thereof to make such assessments of money, or otherwise, vpon the said Owners &c. and all such as by this Act shall be bound to repaire the said High way, as to the said Iustices shall be thought meete, hauing indifferent respect to their seuerall abilities, nerenesse, remotenesse, and other like charges: Notwithstanding, the said Owners, Tenants, Fermors, and Occupiers of the said landes &c. in the said Hundreds be dwelling out of the limits of the said Hundreds. And it shall be lawfull for the said Iustices, or foure of them &c. yearly to appoint Quersers for the performing of such Orders, and Collectors for the gathering of the money so to be assessed: Which Assessments shall be leuied and employed onely towards the repairing and maintaining of the said Highways, by such as shall be appointed Quersers by the said Iustices. If any shall refuse to pay the money so taxed, it shall be lawfull for the said Collectors, or in default thereof, for the high Constables of the Hundred, where the Refusor shall dwell, or hold any Land, by warrant vnder the hands and seales of the said Iustices, or two of them, whereof &c. to leuie the same by Distresse, and sale of the goods of the parties refusing, deliuering the residue to the Owner. And in default of such Distresse, to commit the Refusor to prison, vntill he hath paid the same. The Collectors shall yearly account to the said Iustices, or foure of them, whereof two to be &c. and deliuer the arcerages vnto them, when they shall be appointed.

Bridges and Wayes.

Sewers.

The High way from Ronsuch to Kingston.

The Iustices of Peace authoritie.

Quersers. Collectors.

If

King James.

Commissions
to execute this
Act.

Pleas in
facts commens-
ed vpon this
Statute.

Passage by
Thames frō
London to
Driford.

Assessment.

If any appointed Duerfcer, or Collector doe refuse to execute that Office: Or if any Collector, being required, doe not make his account to the said Iustices, and deliuer vp the arcerages, he shall forfeit five pounds. If the Iustices of Peace of the said Countie of Surrey doe refuse or neglect to put this Act in execution within five weekes after the Sessions holden at Easter, then the Lord Chauncelour or Lord Keeper of the great Seale, vpon request, shall and may make forth Commission or Commissions vnder the great Seale to such persons as to him shalbe thought mete and sufficient to put this Act in execution: Which Commissioners shall haue authoritie to put the same in execution in euery part, as the said Iustices of Peace of the said Countie of Surrey should or might doe. If any Action of Trespas, or other suite shall bee brought against any person or persons, for taking a Distresse, making of Sale, or any other thing, by the authoritie of this Act, the defendants therein, shal, or may pleade Not guilty, or otherwise, make Aduowzie, Cognisance, or Iustification for the same, alleadging, That the same was done by the authoritie of this Act, without rehearfall of any other matter or thing: To which the Plaintiffe shalbe admitted to replie, That the defendant did the same Act of his owne wrong, without any such cause, whereupon the Issue in euerie such Action shalbe tried by the verdict of twelue men, and not otherwise, as is accustomed in other personall actions. And vpon the triall thereof, the whole matter being giuen on both parts in euidence, and after such Issue tried for the defendant, or Plaintiffe of the plaintiffe after apparance, the defendant shall recover treble damages, by reason of his wrongfull vocation in that behalf, with his costs, to be assessed by the same Iury, or writ to enquire of damages, as the same shall require. To continue vntill the end of the first Session of the next Parliament. R.

20 The Lord Chauncelour, or Lord Keeper of the great Seale, shall and may by his appointment and discretion, authorize by Commission eightene Commissioners, whereof five to be of the Countie of Dron, viz. one of the Minersitie, & one of the Citie, and foure of the said Countie, not being of the Minersitie, nor Citie of Driford, and foure of the Countie of Werkes, and foure of the Countie of Wiltes, and foure of the Countie of Gloucestre. Euerie of which Commissioners of the said foure severall Counties to be chosen out of five, to be severally and respectiuey nominated and certified to the said Lord Chauncelour, or ec. by the moze part of the Iustices of Peace of the said severall Counties, assembled at their general Assises, or Quarter Sessions: Which said Commissioners, or the moze part of them, shall haue authoritie to treat, compound, and agree with euery such person, as shal or may receive hurt, losse, or detriment by any act or thing necessary to be done, for the clearing, effecting, or perfecting, of the Riuer of Thames, so as it may beare Barges and Boats vnto the Citie of Dron, and from thence into some part of the Counties of Dron, Werkes, Wiltes, and Gloucestre. And in case any person shalbe obstinate, and will not reasonably be compounded withall, then to determine, and set downe, what, and how much recompence euery such person shall haue: and after such recompence so agreed vpon, or set downe, by the said Commissioners, or the moze part of them, then it shalbe lawful for them, or any person or persons, by them to be appointed, to digge, or cut away the land, soyle, and inheritance of any person, in, about, or adioyning to the said Riuer, which shall be conuenient and necessary for the moze free passage of the said Riuer, and the making of the same mete to carry any vessell, Boate, or Barge to the places aforesaid. The said Commissioners, or the moze part of them, shall haue full power and authoritie, to asseesse and take such of the inhabitants of the said severall Counties, as shal be likely to receive benefit or ease by the said passage, and

and as well those in the Uniuersitie, as in the Citie of Dron, at such reasonable summes of money, as they in their discretions shall thinke fit & convenient: the said summes to be employed for and towards the satisfaction, as well of the persons dammished, as also of other necessarie charges touching the effecting of the sayd worke, and the continuance and maintaining of the same. The sayd Commissioners, or the moze part of them, shall haue full power and authoritie at all times to appoint such persons as they shall thinke fit to gather the said summes of money, so to be assessed: Which Collectors shall haue power by way of Distresse, vpon deniall, refusal, or non-payment, within ten dayes after demand thereof made, to leuie the same, and to make sale of the Distresse, and to deliuer to the owner the residue thereof. And the money so to be leuied, shall be deliuered and payed to the sayd commissioners, which shall make the sayd assessment, or to such as they will appoint, to be employed with as much speed as may be to the purpose aforesayd. If any person, taxed to pay money, doe refuse the payment thereof, or withstand their Distresse, or shall refuse to gather the money assessed, or denie to accomplish the order or commaundment of the sayd Commissioners, or the moze part of them, then hee shall be imprisoned, vntill he be conformable thereunto. If any person receiving money towards the workes aforesayd, shall detaine it, and not employ it to the vse aforesayd, he shall forfeit the treble value of the summe detained: whereof one parte shall be employed towards the performance of the sayd worke, and the other to the Informer, to be recovered in any of the Kings Courts of Record, by A. B. P. or I. wherein no C. P. or W. &c. If any shall find themselves grieved or wronged by the Commissioners order, or in default of satisfaction, then vpon complaint to the Iustices of the sayd Countie, at their Quarter Sessions, they, or the moze part of them, may appoint such redresse, as in their discretions they shall thinke fit: And in default thereof the partie vpon suite exhibited, shall haue such reliefe in the Chauncerie, as appertayneth to Justice, Right, and Equitie. The Vice-Chauncellor of the sayd Uniuersitie, and thre Senior Doctors, being Heads, or chiefe Gouernours of Colledges, and the Mayo of Dron, and thre Senior Aldermen of the same Citie, or fise of them, whereof the sayd Vice-Chauncellour and Mayo for the time being, shall be two, shall order and determine all things touching Wharfage, and all payments whatsoeuer, to be made, in, or at the sayd Citie. No Inhabitant of any of the foresayd seuerall Counties shall be taxed or imprisoned, as is aforesayd, without the consent of two of the Commissioners, or moze, of that Countie, or, or in which he shall be Inhabitant. R.

Collectors.

Denying to pay, or to be ordered.

A remede for the parties grieved.

Wharfage.

21 The penaltie of Players on Stage, Interludes, Shewes, May, Stageplayers games, or Pageants, which prophanely vse the name of Gods. AB. Plaies &c. 8.

22 Within thre yeares after this Session of Parliament, the Iustices of Peace within the Countie of Middlesex, in their Quarter Sessions, or out of their Sessions, any foure of them, shall and may assess and taxe, according to their discretions, all, and euerie of the occupiers of any Houses, Gardens, Lands, or Tenements, and Owners of the Inheritances, or Freehold thereof, adioyning to Dury Lane, at either end, or at any side thereof, and all & euerie, or any of the Inhabitants of the seuerall parishes of S. Giles, S. Martins in the Fields, Saint Clement Danes, the Sauey, and so much of the Parish of Saint Andrews in Holborne, as is within the sayd County of Middlesex, being the five Parishes, into which the said towne of Saint Giles, and Dury Lane, do extend, or the occupiers of Lands within any of the said Parishes,

Dwelling of S. Giles, and Dury Lane.

¶

with

King James.

**Surveyors.
Collectors.**

with such sum and sums of money, towarde the repaying and paying of the sayd Towne of Saint Giles, & Wyrie Lane, or so much thereof, as in the discretions of the said Iustices, or any foure of them, shalbe thought meet and convenient. And the said Iustices shall and may appoint one of the Inhabitants in euerie of the sayd Parishes, to be Surveyour of the Works, and another to be Collector of the sayd summes of money: Who shall and may leuie by Distresse, and sale of goods, all such summes of money as shall be assessed and vnpayed, and make account of his receipts and payments to the sayd Iustices, as often as they shall thinke meet. And after the said Lanes and Streets shall be fully paved, all such Houses, Lands, Tenements, and Hereditaments, as are or shall be next adioyning to the premisses, shall be yearly chargeable towarde the reparation & maintenance of the said Lanes & Streets, at such rates as 4. of the said Just. of peace in their discretions shall thinke fit. R.

**Chepstow
Bridge.**

23 A Repeale of the statute of 18. Eliz. 17. ordained for the maintenance, & new making of Chepstow Bridge. The County of Gloucester, & the county of Monmouth, shall for ever stand chargeable respectiue/y and severally, for the erecting, building, new making, & continuall reparation and maintenance of Chepstow Bridge, when and as often as need shall require, viz. The sayd County of Gloucester, from the middest of the said Bridge, or from the place where the middest of the said Bridge stood in the Riuer, for that part or moity of the sayd Bridge, which lyeth on that side, vnto the Lordship of Widdenham. And the sayd Countie of Monmouth, from the middest of the said Bridge, or from the place where the middest of the said Bridge stood in the Riuer, for that part, or moitie thereof, which lyeth on that side, vnto the Lordship of Chepstow. The Iustices of Peace, or any foure of them, in either of the said counties, whereof one to be of the Quorum, severally & respectiue/y, shal haue power and authority to taxe & rate euery of the Inhabitants of the said severall counties of Gloucester & Monmouth, as well within the Liberties, as without, to such reasonable summe or summes of money, from time to time, as to the sayd Iustices, or any foure of them, shalbe thought fit, needfull, and convenient, for the building, new making vp, and erecting of the said Bridge, and for the continuall reparation thereof: and after such taxation made, the said Iustices shal cause the names and surnames of euerie particular person, in either of the sayd Counties so taxed, to be written in severall Rolles indented: And shal appoint Collectors in euerie Hundred, in either of the said Counties, severally and respectiue/y, for the Collection of all summes of money so by them taxed: which may distraine, and sell the Distresse for the money so taxed, being behind & vnpayed. And also the said Iustices shal appoint 4. sufficient persons out of y^e said severall Counties, to be Surveyors from time to time, as need shall require to survey & set forthward the Works for building & repaying of the sayd Bridge, into whose hands the said Collectors of the sayd Counties shall pay the money so by them leuied & collected: which Collectors and Surveyors being required, shal make account to the Iustices in either of y^e said Counties of their receipts & payments: and for default & refusall thereof, shalbe committed to ward, there to remayne without bayle or mainprise, vntill they make payment of such money as shal appeare to be by them detained, & not employed. The Iustices may assigne certaine persons, to aske and receive of any passengers trauelyng that way, any money or beneuolence towarde the building of y^e said bridge, as they without compulsion will giue, vntill the same be fully built. If any I. of peace hath, or shall detain any summe of money, given or collected towarde the new building or reparation of the said Bridge, he shall forfeit for euerie such offence 40. l. R.

**The Iustices
of Peace au-
thoritie.
Taxation of
the inhabitants**

Collectors.

Surveyors.

Account.

Beneuolence

King James.

The hostile
treaties of Scot-
land.

demanded Treason: and another Statute made in the said Kings reign, whereby any assurance with Englishmen, for taking possession from them for lands or goods, is Treason: & another act made in the said Kings reign, prohibiting the buying and selling of English goods, for bluden under paines of forfeiture: and one other act made in the time of James the second, King of Scotland, That none should passe into England in time of warre without licence; upon paine of Treason: and another act made in the said Kings reign, That no Englishman come into Scotland without conduct, and that no Scottish man sit under assurance with them: and another act made in the same Kings time, That no Scottish man supply Barwicke and Roxburgh under paine of Treason: and another Act made in the said Kings time, that all men be ready for the defence of the Realme against England: And these acts made in the time of King James the third, King of Scotland, for relieving King Ed. 4. and another act made in his time, concerning the upholding of Barwicke, and garrisons upon the borders: and one act made in the reign of Mary late Queen of Scotland, whereby Scottishmen are charged to lend assurance with Englishmen: another act made in the same Kings reign, concerning assured Scottish men assisting the English army: and one act made in the reign of King James that no man, containing, That if Scottish buyers or sellers be charged to marry English buyers or sellers daughters: And another act made in his time, enjoining the Wardens to put in a bill the names of all Englishmen that occupy lands in Scotland, & whether they be according to the Treatise. A repeal of the Statute of Anno 5. Rich. 2. concerning the restraint of passage of the Kings subjects out of this Realme, and of euerie Ordinance, Provision, Article, or Clause therein. A pardon of all offences. A person subject of either Realme shalbe punished, troubled, sued, delinered, or remanded, or called in question for life, member, paynage, restitution, or satisfaction, or by reason of any offences, wrongs, or trespasses (before the death of H. Eliz.) which were determinable by the Lawes of the borders, or other wise, which purposed actions of hostility by sea or land, by him or the committed, or whereunto he or they were accessories before, or after such offence committed, or priuy, or aiding to the same, or for or in respect whereof he or they were or are pledged, or chargeable in any promise, bill, bond, contract, bills filed, sentence, decree, or other assurances given, or take for the same only, or for so much only of such other assurances as was given, or is in force for the cause, & no other. Trial of offences committed by Englishmen in Scotland, & by Scottishmen in Eng. AB. Trial 10. &c.

The length, breadth, & weight of clothes made of dyed wools, & mingled colours of dyed wools, of plunkets, of ices, & blues, of sorting cloths, of fine short Suffolkes, of handwarps, of colored clothes made in Wiltshire & Somersetshire, of short clothes made of dyed wool, & mingled colors within Yorkshires, of broad lissed whites & reds made in Wiltshire, Gloucestershire, Dorsetshire, & the East limits of Somersetshire, of narrow lissed whites & reds made in those shires, of fine clothes with plaine liss made in Wiltshire, Gloucester, & Dorsetshire, of clothes having stop liss, of Lannons, Bridgewater, and Distlers, of narrow clothes made in Somersetshire, of broad clothes, & narrow clothes made in Yorkshires, of Devonshire kerries called doyens, of check kerries, of ordinary penitions, of forest whites, of sorting penitions, of cogware, kendall, & carptmeales, of wash whites made in Yorkshires & Lancashire. The penalties for: rowling or rasing of cloth, or of the liss of cloth, or cutting & wall from the backes, or for blowing of cloth. In what cloth flosse, & hummes, or lannes wool may be put, and the meane to know it. Places where woads, Gamell, conellets & blankets be made. The forfeitures where & cloth is longer then is appointed, and where it wanteth weight or breadth: A repeal of former

§. R. 1. 2.

A pardon of
hostile offences
done before
H. Eliz. death

The length,
breadth, and
weight of
Clothes,

statutes concerning the length, breadth, & weight of cloth, & of certaine of their perattie given to other persons: Of searching & sealing of cloth, and of faultie clothes not certified by them: Of duties and payments for broad wollen cloth: euerie Clothier may make any kind of cloth. The h. duties & his officers referred. AB. Draperie 129. &c.

27 H. 8. 13.
8. Eliz. 1.

3 If the plaintife in an action of trespass, or Election firme &c. be nonsuit, Costs of suit, or that the verdict doth passe against him, the Defendant shall recouer costs against him. AB. Damages 6.

4 None shall sel Ale or Beere to an Ale-house-keeper, not hauing a licence, Selling of ale other then for the expence of his household onely. AB. Alehouse 10. &c.

7. Jac. 10.

5 The penalties of a drunkard for his first offence, and for his second offence, and of him that continueth drinking in an Alehouse in the towne where he dwelleth. AB. Drunkennesse 1. &c.

6 No person shal incurre any penaltie for housing, selling, or buying of any farned shepskins vnsearched or vnsealed, so as they be conuerted into made wares within this Realme. No Leather shall be sold by weight. AB. Leather 36. 54.

7 Whereas Hugh Westwood of Chedworth in the county of Gloucester, Esquire, deceased, by his last will and testament in writing, bearing date 1. die Maii. an. 1. El. did will, bequeath, & deuise to Edmund L. Chandos, & 11. others, & to their heires & assigns for euer, the rectorie & parsonage impropriate of Chedworth aforesaid, whereunto the presentation of the vicarage of Chedworth aforesaid is belonging: and one messuage, one close, & two parcell lands & a halfe, in Chedworth aforesaid: To the only vse & intent, y^e the said deuisees, their heires & assignees, with y^e profits thereof, should found, erect, and maintain a Grammar schole for euer in y^e towne of Northleach. By which will, the nomination of the scholemaster of the said schole was appointed to the heires of y^e deuisee, & the determination of all doubts was referred to the Just. of assise of y^e said county of Gloucester: after which, the last surviving deuisee seeking to defraud y^e trust in him reposed, made a lease to one of his own sons of y^e said parsonage & other the premises for a very small rent, & conueied the inheritance of y^e reuerſion thereof to another of his sons: and the heire of the deuisee entered vpon the same parsonage &c. challenging the same as heire to the deuisee, & seeking to impeach y^e said will. Wherefore vpo complaint made by the scholemaster & inhabitants of Northleach aforesaid, first in the Chancery, & after in parliament, it was enacted, That the schole of Northleach aforesaid shalbe incorporated & founded in name & deed a body politique and corporat, to haue continuance for euer, by the name of the scholemaster & vther of the free Grammar schole of Hugh Westwood Esq. in the towne of Northleach, & by y^e name shal hold all & euerie the said parsonage & premises, lands &c. intended by the said Hugh & inhabitants of Northleach to y^e said schole (the patronage of y^e vicarage of Chedworth only except) & the reuerſion of the same, & euerie rent reserved vpon any deuise thereof. And by the same name shal haue ability & capacity to deuise & grant their possessions, & to take & purchase, sue & be sued, & to perſorme euerie other lawfull act, good or profitable for y^e said incorporation, as any other incorporation, body politique or corporat may do. And y^e William Lickbarrow shal be the first scholemaster, & John Stone the first vther of the said schole: and y^e they the said William & John & their successors shal haue a common seale for the making of their leases, & doing of euerie other thing aforesaid, in which shal be the name and armes of Hugh Westwood shalbe engrauen. And the y^euocatt and scholars of W. College in Wyford, and their successors shal nominate vnder their Colledge seale a scholemaster, a graduat of the same vniuersitie, and an vther trained vp in learning in

The Schole
of Northleach
in the County
of Gloucester.

King James.

the same vniuersity, as often as such place shalbe void by death, resignation, depriuation, or otherwise, within one moneth after the voidance of the same place. And if they do it not within one moneth, then the Iustices of Assise of the sayd county shall make the same nomination within one moneth after that by their writing, of such like man aforesaid. The said prouost and Scholers of M. Colledge shall haue authoritie vnder their Colledge seale to prescribe such orders, rules, statutes, and ordinances, as to them shall seme mete, for order and gouernment of the said Schole, and of the Scholemasters, Wethers, and Scholers thereof, which shall stand in full force and strength in Lawe: So that they be not repugnant to the Kings prerogative, nor to the Lawes or statutes of the Realme, nor to any Ecclesiasticall Canons. And they shall haue authoritie to visit the said Schole, and to reforme all abuses touching the gouernment of the same, and to depriue the Scholemasters and Wethers thereof, as to them shall seme iust: So that the visitation be by the prouost himselfe, and one of the fellows, or by two of the fellows at the least. All controuersies that shall arise betwixen the said prouost and Scholers, and the said Scholemaster or Wether, or the inhabitants of the sayd Towne of Northleach, or either of them, shall be decided by the Iust. of Assise of the Countie of Gloucester, by writing vnder their hands and seales. The said prouost and Scholers shall haue to them and their successors for ever the patronage of the vicarage of the Church of Chedworth aforesaid, and may present their Clerks so often as it shall become void. All Leases, conueiances, and estates to be made of the said parsonage, and other the premises, or of any part thereof, shal be void (other then leases for yeares) whereupon shalbe referred to the Scholemaster and Wether, for the said parsonage, the yerely rent of 50 l. or more: & for the messuages & other the premises, xxvj. s. viij. d. payable at foure vsuall feasts in the yere, whereunto the said prouost & Scholers vnder their Colledge seale shal giue their consent. No lease to be made of the premises shalbe good any longer then such Scholemaster as shal make such lease shall continue Scholemaster there: saving one lease to be made before 25. die Martij, Anno Dom. 1610. for twenty one yeres, or thre liues vpon the rents aforesaid, for the raising of a fine, therewith to discharge former titles thereunto. And the prouost and Scholers aforesaid shall vnder their Colledge seale set downe and appoint, how the rents and profits of the premises shalbe diuided and proportioned betwixen the Scholemaster & the Wether, so as the whole be diuided betwixen them. This act shall not make void a lease of the parsonage & premises made to Iohn Stone and Thomas Hyll for terme of yeres, whereupon is reserved 50 l. rent yerely: Nor to defeat an annuities of 30 l. yerely, ordered and decreed to Eustace Apparie, son of Thomas Apparie, the suruiuing deuisee of the fozenamed Hugh Westwood. Sauing to the R. and al others all such right, title, estate, condition, profits, and demands, which they or any of them shall or ought to haue in the said parsonage, and other the premises. R.

Controuersies shall be decided by the Iustices of Assise.
The patronage of the vicarage of Chedworth.

What assurances shalbe good, and what not.

How long the leases shall continue.

Of former leases and annuities

Others rights saved.

Appoyning of R. and marsh.

8 It shall be lawfull for William Burrell of Kestiffe, in the Countie of Middlesex, Gentleman, his Heires, Executors, and Assignes, and for his and their Seruants, Deputies, Carpenters, and Workmen, and his & their Carts and Carriages, at his and their coses, at all times vntill the tenth day of October, which shall be Anno Domini 1609: to inne, fence, and wain from inundation and ouerslowing of the River of Thame, all and singular the grounds and marshes lying in the drowned marshes of Relines and Fants now surrounded, according to the purport and effect of certaine Indentures made betwixen the lordes & owners of the same surrounded grounds and him, and to labour, doe, and accomplish things necessarie during the sayd time,

about

23. Eliz. 13.
27. Eliz. 17.

about the inning, winning, and fencing of the said grounds and marshes: And for the inning, fencing, maintaining, and contriving of the same; to the end that so much growing reed and earth in any part of the said waters marshes, to that he or they digge not within xx. yeares of any wall alreadie made within that marsh: And immediately after the substantiall inning, fencing, and winning of the said grounds and marshes from the water, and flowers, the said William Burrell, his heires and assignees shall have and enjoy to him, his heires & assignees for ever, the one halfe of the said ground so deemed, according to the meaning of the said Indenture: And the other halfe shall be to the owners of the said marsh ground to be inned, according to the severall proposition of their quantities, estates, rights, titles, and interests which they now have in the said grounds to be inned: And the said proportion assigned to William Burrell, and his heires and assignees, after partition, shall be holden of Commond Coke Esquire, as of his manor of Wilties and Grants in the Countie of Kent, in free Socage, by fealtie, and one penie rent for every acre, and not in chief, or by Knights service: And the said marsh ground to be inned shall be discharged of all tithes and tenthes during seven yeares next after the winning and fencing of the same. And after the inning of the said marsh ground the Lord Chancellor will upon suit graunt commission to certaine persons, to make partition betwene the said inner and the owners of the said grounds, according to the severall proposition of their quantities, rights, titles, and interests. Aswell the said inner as severie owner, shall have convenient wayes and passages through their said grounds: The owners parts inned, shall be holden of Commond Coke, as of his forefathers manor; as they are now holden by fealtie, and a penie an acre, to be payd at the Feast of S. Michell the Archangell yearly. R.

9. The Statute made Anno 3. Jac. 6. whereby all Merchants be set at libertie to trade into Spaine, and from Spaine, Portugall, and France, notwithstanding a Charter of Incorporation graunted by the King, under the great Seale, to divers Merchants and their companies, onely to trade thither, neither doth, nor shall dissolve, annul, or impeach the Charter graunted by Elizabeth to the said company, and principall Citizens of the City of London, as the said company, in any of their priviledges or liberties graunted unto them by the said Charter. AB. Merchants 19.

10. Whereas King Henry the first did graunt to the Mayor, Bailiffs, and Burgeses of the Towne of Southhampton, and their successors, a Charter (which hath bene since confirmed by many other Princes) restraining all Merchants not being free of the Liberties of the said Towne, to buy or to sell any manner of merchandize within the said Towne, or the Liberties thereof, upon paine of forfeiting the said merchandize, to the said Mayor, Bailiffs, and their successors. Now it is enacted, that so much of the said Charter, as doth concerne the premisses, shall from henceforth stand and be good and effectual in the Law, to all intents, according to the true meaning of the said Charter, and that the same be confirmed by this Parliament: No person not being free of the said Towne, shall buy any Merchandizes within the said Towne, or the Liberties thereof (Salt and Sea fish onely excepted) of any other, not being free of the said Towne, nor sell any merchandize (Salt and Sea fish onely except) within the said Towne, or the Liberties thereof, to any person or persons not being free of the said Towne, upon paine of forfeiture of all such merchandize, so bought, or sold, to the Mayor, Bailiffs, and Burgeses of the said Towne, and their successors. But any person may buy within the said Towne, or Liberties, any provision for his owne house, so as the same be expended

The libertie of
of merchants
of Wilties,

Liberties
granted to
Southhampton,
confirm'd

King James.

The Cinque Ports.

pended there, and not in any sort sold againe. And any person may buy and sell in the time of faires there, or aboard any ship within the Port of Southhampton, of any person whatsoever. Provided, that this Act shall not extend to the Barons, or the free men of the Cinque Ports, or of the members to them belonging: but every of them shall enjoy such Liberties within the said towne of Southhampton, and the Liberties thereof, as heretofore have bene graunted to the said Ports. R.

Warden, Bodenham, Wellingington, Sutton, Burton, Pipe.

11 Every owner and farmer, their heires, successors, and assignes of any Manors, Capitall messuages, Tenement, or ferme, within the Manors, Lordships, and Parishes of Warden, alias Walmarden, Bodenham, Wellingington, Sutton St. Michaele, Sutton St. Nicholas, Burton upon Rugge, and in the Parish of Pipe, in the Countie of Hereford, or any of them, that have not already so much of their Land, meadow and pasture, belonging, or occupied to, or with their severall messuages, Tenements, or fermes inclosed and kept in severall, as doth amount to the cleere third part thereof, may at his and their pleasure severally, and respectively at all times hereafter inclose and keepe in severall, so much of their said lands, meadow, and pasture, now at the first day of this Session of Parliament, belonging, or occupied to, or with the sayd severall messuages &c. as together with such thereof as they hold already in severall, shall amount unto, and make up a cleere third part of all the Lands, meadow, and pasture, which they doe, or shall so there hold, belonging, or occupied, to or with the said severall messuages, or &c. to be holden and kept in severall, to the maintenance of tillage of the arable lands belonging or occupied to or with the sayd severall messuages, &c. respectively, according to the Estates of them that are severally interested in the same, leaving the other two parts thereof, in three parts to be divided, severally and respectively to lie, and continue as the same have heretofore used to lye. But this shall not extend to any arable, Pastures and Common ground, that hath bene used to be a perpetual Common, and Waste ground by all the yeare, so that shall so remains still as a perpetual Common. Provided alwayes, that this Act shall not extend to such land, hereby to be kept in severall, where any person hath or ought to have the hay or first besture or pasture onely, of any Land, meadow, or pasture, whereof the Inhabitants of the Towneship, or Parish where the land doth lie, have used to have the whole later math, later crop, or edgegrasse therof to themselves, and the owner of the sayd Hay, first besture, or pasture, no part of the later math &c. But those which have so had, and used to have the sayd later math, &c. may enjoy the same, in such manner as they have accustomed. This Act shall not helpe them who come into their lands by a wrongfull title. No person shalbe hindered or stopped of his lawfull way, by reason of such inclosure. Every person that shall inclose or keepe in severall any land, &c. by vertue of this Act, shall be abated of his common in the common fieldes, and common pasture, belonging to the said Townes proportionable, after the rate and qualitie of the Lands so to be kept in severall: But he may have his common in places communicable there ratably for the residue of his lands. The freeholders and Copholders of every of the sayd Townes respectively, their heires, and Assignes, or the greater number of them, may from time to time, rate, and stint every person, his heires and assignes, which shall inclose, and keepe in severall Land, meadow, or pasture, by vertue of this Act, what, and how many cattell of all kinds, such person, his heires and assignes, shall keepe upon the commons of the sayd Manor, Parish, or Towne, where such land shall be inclosed and kept in severall. And he that shall keepe more cattel than shall be so rated, shall forfeit for every beast which he shall keepe above such

Inclosure of 3. part.

Perpetual Common.

The first crop

Highwayes.

Abatement of Common.

Stinting of Inclosures.

stint,

first of the said enerie worke, wherof the one halfe to the poore of the parish, and
 the other halfe to the King of the Spanes. And every one of any of the said pa-
 rishes, and their seignours, shall have authoritie within their limits & court bar-
 rons, to inquire & take defendants by the othes of Jurors, of every offence
 committed, & levy by distress all such summes of money as shall be forfeited,
 and shall within one moneth pay the moitie thereof to the Churchwardens and
 Overseers of the parish where the offence shall be committed to the use of the
 poore of the same parish. But if a man build a cottage, upon any of the land so
 to be kept in fenecitie, so shall lay out of the said lands to a cottage for habita-
 tion, & dismember the same from the messuage to which it is now belonging,
 then the King of the said Spanes, or his officers, or the homage may by the order
 of the court of the said Spanes, lay open & into common the same land at some
 mor seasons of the yeare, in such manner as the same was formerly used. Pro-
 vided nevertheless, that the later mow, or later crop of the meadow, and pas-
 tures called *winnow*, *whittocke*, *Wale meadow*, the *Crowes*, the *Wale lands*,
 the *Wale shepes*, and the *Wingins* & certaine smaller meadowes and pastures
 to be used generally for oxen, shall and may be hayned, inclosed & used yearly
 the *Wingins* & *Wingins* after harvest & at most commonly they have done, And that
 this Act shall not extend to alter the usage of the great meadow, in parishes *Sut-
 ton* & *Spichell*, & *Button* & *Wicholas* aforesaid, called *Long meadow*, or any
 part thereof, otherwise than it hath bene used. Which Act to continue but to the
 end of the last Session of the next Parliament. To be continued.

[illegible]

Francis Tindall Esquire, Henrie Horne, & John Capes Gentlemen, (who haue undertaken to do their best endeavour to sing at their own costs and charges, the draining of certaine Fennes, and low grounds within the Isle of Elie, subject to hurt by surrounding, so; the considerations hereafter mentioned) their heires & assignees, shall haue full power by vertue of this Act, during 7. yeares next ensuing the end of this Session of Parliament, to dayne all the fennes

Over char-
ging his tint,
41-10-00

Laying the
lands to a
cottage.

The later
crop of grain
is 1.1 million
1.1 million

Λαγ μεθοδω.

I mean to
bring water to
London.

Copyright
 Insurance
 Co. of Am.

1911
 1912

Drawing of
Fences in the
Ile of Ely.

will give
a good
copy

The undertakers
to be
bound.

Croftes draw-
ned, againe
drawned.

Other mens
grounde.

ences & low grounds; shalbe to hurt by surrounding in the said Ile of Ely; that they be drawned with the banks, beginning at Ricker Spill, & from thence by Lower house, to Upper house, & so to Kinner Burne, from thence by Sparke Damine, & so by Chene Leane to Friday Bridge, & from thence by Metham Dike, & Bophile, & so by Cold Dike to Ricker Spill againe. And so; the doing thereof to make of new, or to repaire in all places needfull, such & so many daines, loads, dikes, banks, sluices, & other works of sewers, as they shall thinke meet (not being in March last within the old polderike) for conveying to the sea as well of the sack & downfall, as of the ouse flowing of rivers & land floods; setting the binders of such several as they shall cut, & such persons as they shall otherwise thinke, such moyle, or other valuable recompence, as by Sir Commissi- oners of Sewers at the least, whereof 3. inhabiting within the said Ile, and 3. within that county of Suffolke, shalbe chosen & set down. Immediately after the said groundes shalbe drawned; according to the true meaning of this Act, & sayd undertakers, their heires or assigns, for & in consideration thereof (of the per- petuall maintaining & prefering of the same dainings, as in this Act is here- after mentioned) shall have, hold, and enjoy, to them, their heires and assigns, for ever in fee simple, & two full parts in 3. to be divided of all the sayd Fences & low groundes, the same to be set out by metes & bounds before the Feast of St. Michaell the Archangell, which shalbe An Dom 1608. by the several owners of the said Fences & low groundes, or in default of any of them, then at any time after by Sir Commissioners of Sewers at the least, whereof 3. inhabiting with- in the said Ile. And the said 2. parts shalbe held of the severall Lords of whom the same at now holden in fee & common socage, by knights only, for a man- ner of services, and not in Capite, nor by knights service. And likewise the said 1. full parts shalbe held for paying any manner of tithes until the Feast of St. Mich. the Archangell next ensuing the end of 7. years after the time limited by the drawing aforesaid. Provided nevertheless, that if any of the said Fences or low groundes, after they be drawned, shalbe againe surrounded, in default of the said undertakers, their heires, or assigns, and so do continue at any time between the Feast of St. Mich. the Archangell, & the Annunciation of the blessed Virgin Mary, then next following, by the space of 8. months together, or do so continue at any time between the feast of the Annunciation & the feast of St. Mich. then next following, by the space of one month together, & not in the interim time amended by the said undertakers, their heires or assigns, That then & so often if shall & may be lawfull for every owner of the groundes so sur- rounded, and not amended, by the view and appointment of five Commis- sioners of Sewers at the least, whereof four inhabiting within the Ile of Ely, being able for that purpose, to enter into the full 2. parts which were draw- ned and set forth from his groundes so surrounded, for the said undertakers, as aforesaid, and the same to have and enjoy according to his former title, estate, and interest, until the same Fences and low groundes so surrounded, shall be recovered againe, by new drawing, or repaire, at the costs and charges of the said undertakers, their heires or assigns. Provided also, that the authori- tie given by this Act to the said undertakers, their heires or assigns, for the drawing of the said groundes, shall not extend to give any power to cut and drawe thence to any other groundes in any other manner, than by the Lawes and Statutes of this Realme heretofore made, they may lawfully use.

Statutes

Statutes made at the fourth Session of Parliament begun

and holden by prorogation at Westminster 9. die Febru-
ary, An. 7. Reg. Jacob. & An. Dom.

1609.

¶ 1 If any Englishman shall commit Felonie &c. in Scotland, and flye into England, then the Just. may send the offender into Scotland to be tryed, notwithstanding the Stat. of 4. Jacob. 1. But a like Law is to be made in Scotland. AB. Triall 10.

Triall of an
Englishman
in Scotland.

2 All such as are to be naturalized, or restozed in blood, shall first receive the Sacrament of the Lords Supper, and the oath of Allegiance, and the oath of Supremacie. AB. Crowne &c. 11.

Naturalizing
Restozing in
blood.

3 How many given to be bestowed for the binding out of poore children to Trades and Occupations shalbe employed, and by whom. And how such money shall from time to time be preserved. AB. Hospitals &c. 20. &c.

Money given
to appretices.

18. Eliz. 1.
39. Eliz. 4.

4 A Confirmation of all Lawes and Statutes in force made for erecting of houses of correction, & for punishing of vagabonds. Before the feast of S. Michaele Anno Dom. 1611. there shall be a house of Correction provided in euerie Shire to set idle persons worke. The forfeiture of the Justices of Peace if the house of Correction be not builded by that time. A Governour shalbe appointed of euerie house of Correction, and his authoritie. Whie searches shall be made for idle persons. The Governours of houses of Correction shall haue allowance for their paynes. The punishment of lewd women which haue bastards. A remedie for them that runne away and leaue their children to the charge of the Parish. The Governours of houses of Correction shall giue account to the Justices of such persons as be committed to their custodie. AB. Vagabonds 15. &c.

Houses of
correction.
Vagabonds.

5 If any Action, Bill, Plaint or suit shall be brought against any of the Officers for doing of any thing concerning his office, the Defendant may plead the generall issue not guiltie, and giue the speciall matter in euidence. AB. Pleading &c. 2.

The pleading
of an officer.

6 Who shall take the oath of Obedience to the King, and by whom it shall be ministred, and within what time. The penalties for refusing the same oath. The penalties of a married woman refusing to come to Church, or receive the Communion. AB. Recusants 60. 61. 62. 63.

Taking the
oth of Obe-
dience.
A woman
Recusant.
Fines by
woyers of
Woll.

33. H. 8. 6.

7 The punishment of a Sawyer, Carter, Bember, Spinster, or weauer of Woll or Yarne, that doth imbesill or detain any part of the Woll or Yarne deliuered to him by the clothier. And likewise of him that doth receive the same. The penaltie for a Spinner in Clee that shall receiue any woll, and shall deliuer the yarne made thereof by a Sawyer Kete. AB. Draperie 168. &c.

8 The Statute of 2. & 3. P. & M. 3. Touching keeping of Milch Kine, and breeding of Calues shall be extended as well to grounds sithe that time inclosed, as hereafter to be inclosed. AB. Cartell 3.

Keeping of
milch Kine.

9 Our Soueraigne Lord King James for the defence of Religion now established in England, and for the refusing of Heresies repugnant to the same, hath founded a Colledge at Chelsey nere London, therein to place certain learned diuines, and to incorporate the same by the name of Wrouell and fellowes of the Colledge of King James in Chelsey nere London, and hath endowed them with Lands, Priuiledges &c. And hath giuen them a capacitie to receive from him and his Subjects Lands, Hereditaments &c. benefits, and profits, not

A Colledge
at Chelsey.

King James.

Digging a
Trench out of
the River
of Lee.

not exceeding in the whole the yearly value of three thousand pounds. It is enacted that it shall be lawfull to the said Wroust and fellows their successors, deputies, and assignes, at all and everie place in the open fields or Partes lying betwene Locke Bridge in the Parish of Hackney, and Wolwe Bridge at Stratford Bowe in the parish of Stepney, with the consent and allowaunce of the occupiers and owners of the soyle, in the sayd places to digge or cut a Ditch or Trench out of the River of Lee not exceeding tenne foot in breadth, or to scoure or enlarge to the breadth aforesayd, any old Ditch or Trench there already made: And upon the same Ditch, or places adjoining therunto to erect Engines, water-wozkes or water-wheels, and houses or coverings for the same, and to convey so much water of the sayd River, as shall be necessarie and requisite to be used for the working and motion of the sayd Engines or water-wheels. And they may digge for opening of springs of fresh water to be found on the West-side of the sayd River, and convey the same, by and thorough little Cutters, or Trenches, or Pots or pipes under the ground into a Pond, Pit, or head of convenient largenesse. And they may convey the water from the water-wozkes in Pipes under the ground unto the Citty of London and the Suburbes thereof, for the perpetuall maintenance and sustentation of the sayd Wroust and fellows and their Successors by the Rent to be made of the sayd waters conveyed as is aforesayd. And the Wroust &c. may digge and open the ground for the laying of Pipes and making of Conduit heads, and shall cover the same againe with Turfes, &c. And the same Wroust &c. shall have free passage through any ground for the making and continuall preservation of the same wozkes. Commissioners shall be appointed under the great Seale to set downe the rates of the damages which everie person shall sustaine by the making and repaying of any the said wozkes. Each persons remedie to recover the recompence assessed. Certaine places exempt, through which the water is not to be conveyed without the consent of the owners & occupiers, viz. the house, garden or Orchard of any person or persons, and Cozne fields, while the Cozne is growing or standing in the same. R.

His house.

10 The penalty for an offence committed against any of the branches of the statutes of 1. Jac. 9. or 4. Jac. 5. AB. Alchouse 14.

Taking of
Pheasants and
Partridges.

11 The penaltie for killing of any Pheasant or Partridge by hawking, betwene the first day of Julie and the last of August. Who may take Pheasants and Partridges: where and when. The penaltie for taking any Pheasants or Partridges with setting Dogges, Nets, Snares, or Engines. Some Officers may search the houses of persons suspected to offend. AB. Pheasants &c. 10. 11. 12. A Repeale of part of the statute of 1. Jac. 27. touching taking of Pheasants and Partridges.

11. H. 8. 17.
23. El. 20.

Trades-
mans shoppe
Wozke.

12 In what case a Tradesman or Handicrafts mans Shoppe wozke shall be no Evidence to recover a debt. Entercourse of traffique between Merchant and Merchant &c. AB. Dets, Debtors 6.

38. Ed. 3. 5.
5. Eliz. 6.

Hunting of
Dere.

13 A Repeale of part of a Wroust contained in the statute of 3. Jacob. 13. concerning the hunting of Dere. The forfeiture for hunting, taking, or killing of Dere in a Parke, or inclosed ground. AB. Forests 10.

5. Eliz. 2. 21.

Hornes.

14 No Straunger shall buy English Hornes brought in London or within foure and twentie Miles compasse thereof. None shall sell English Hornes brought to a Straunger, or send them brought over the Sea. The Wardens may search for insufficient Hornes. AB. Hornes &c. 1. &c.

4. Ed. 4. 8.

Dets assigned

15 What Dets onely may be assigned to the King. AB. Accomptants & Debtors to the King 54.

1.H4 19.

16 Certaine course Clothes made in the North parts, which shall not be searched nor scaled, nor any custome or Aduage paid for them. AB. Draperie 116.

Course for their cloth.

17 There shall be no burning of Ling, Heath, &c. or other Horse-burings, in certaine Counties of this Realme, in the six monethes of Summer. AB. Burning 2.

Horse-burings.

18 All persons within the Counties of Denon and Cornwall may fetch Sea sand for the bettering of their land. AB. Husbandrie 32.

Sea sand.

19 Whereas the Mayor, Baylives, and Communitie of the Citie of Excester, were seised in fee of an auncient Weare made of timber, called Calibere Weare, standing upon the river of Exe, and nere to the sayd Citie: Which Weare conveyed sufficient water from the sayd river, as well to Crise Mills, and Fulling Mills, belonging to the sayd Citie, as also unto all the Dyers, and other Artificers, dwelling &c. But the sayd Weare (about the Feast of the Birth of our Lord was two yeares) with an vnusuall great frost, was decayed in the foundation, and after violently rent into peeces, and carried quite away. Whereupon the sayd Mayor, Baylives, and Communitie, were enforced to make a new Weare of stone ouerthwart the sayd River, about the space of foure hundred fote above the place where the sayd former Weare did stand, and also to cut a new Millleate, or Trench, for the conveyance of the sayd water to the sayd Mills, through a strong rocke: for the making of which the sayd Mayor, &c. did expend about the summe of two thousand markes, in doing whereof the sayd Mayor, &c. were carefull to prevent all damage which might ensue to any thereby. Nevertheless, for as much as since the making of the sayd Weare and new Millleate, certaine persons (being owners, tenants, or tenants, of certaine lands adioyning, or not farre distant from the sayd Weare and Millleate) doe pretend, that by erecting of the sayd new Weare, their grounds are sometimes (more than heretofore) ouerflowed, when by much raising the River of Exe doth exceed his ordinarie greatnesse: And doe therefore threaten to sue and implead the sayd Mayor, &c. in the Law, for erecting the sayd new Weare where it now standeth, and of the sayd new Millleate: Or otherwise to breake it downe at those places whereunto the sayd new Weare is annexed, and where the sayd Millleate runneth: Which if they should indeed doe, then the whole estate of the Citie should be thereby much decayed, Because the continuance and maintenance of the sayd new Weare and Millleate, is of so great moment to the welfare of the sayd Citie, as without which the same cannot well subsist. And it standeth with the rule of equitie and iustice, that those which receiue so great benefit by the same, should yield sufficient recompence to any person whomsoever so staying any detriment thereby, bee the same neuer so small. Wherefore be it enacted, That the sayd Weare and new Millleate, and enerie part of the same, shall alwaies from henceforth stand, be, and remaine, where they now are, without any removing, let, or disturbance, or any suit or action to be brought by any person or persons whatsoever. And that it shall bee lawfull to and for the sayd Mayor, &c. and their successors, from time to time, and at all times hereafter, to haue free entrie and passage to and from the sayd Weare and Millleate, by, in, and through all places convenient, for, and with their seruants, Woloemen, Horses, Carts, Carriages, and other necessaries, for the repairing, preserving, and amending the same. And for recompence to be giuen to such persons which

An old weare of timber decayed, did stand upon the river of Exe,

The new weare and Millleate shall stand.

King James.

How the parties damaged shall be recompensed.

The remedie for the parties grieved for his damages awarded.

A remedie if the old weares were raised.

Inundation by the Sea in Norfolk and Suffolk.

The Authority of the Commissioners

now are, or shall, or may be damaged by the erecting of the sayd new Weares, or the reparation thereof, or by making of the Milleate, more than in former times they have bene by the sayd ancient Weare. Be it enacted, That in default of agreement and composition betwene the sayd Mayor, &c. and the parties or parties pretending to be so damaged thereby, upon complaint of such parties or parties to the Justices of Assise for the Countie of Devon, for the time being, the sayd Justices, or such substantiall and indifferent persons as by them shall be assigned (calling the sayd parties before them, and hearing their exceptions to the persons to be so nominated) may either in the sayd Countie and Citie of Excester, or in the Countie of Devon, by oath examine everie such witness as either on the behalfe of such Landlord, owner, farmer, or tenant, or on the behalfe of the sayd Mayor, &c. shall be produced before them, for the proofe of any such losse or damage, or for the disproofe thereof: And thereupon from time to time shall or may order and award to the parties or parties grieved (if any such shall be) either by the yeare, or otherwise, such sufficient recompence, with necessaries and reasonable costs sustained in that behalfe, to be payed to him or them in money by the sayd Mayor, &c. and their successors, as in their discretions shall be thought fit. And for the summe of money so to be awarded to be payed, it may be lawfull for the parties grieved (upon refusal of payment) to distraine in any of the lands and tenements belonging to the sayd Mayor, &c. Or to sue the sayd Mayor, &c. and their successors, for the same, by action of debt, in any of the Kings Courts: Wherein no Cessaine shall be allowed. If the old Weare have within five yeares last past bene rayled higher than it was in ancient time, by meanes whereof the grounds of such Landlords, owners, farmers, or tenants, have bene within those five yeares more overflowed than usually before such raising, &c. When the sayd Justices of Assise, or such as shall bee by them appoynted, shall by examination of witnesses by oath, as is aforesayd, further inquire what losse did grow by such rayling, unto the sayd owners or tenants, &c. more than they sustayned by the sayd old Weare before such raising thereof: And whether any like damage doe still continue by the sayd new erected Weare. And if it shall appeare, or be so proved to them, then they shall further allow such recompence for such losse and damage so continuing by reason of the sayd new Weare, and in such sort as is by this Act formerly expressed. R.

20 Because many thousand acres of ground in the Counties of Norfolk and Suffolk, have bene of late surrounded by the irruption of the Sea, and to the great preiudice of ninetie two Townes and Parishes, and more danger is feared by the overflowing of the same: Therefore the Lord Chancellor, or Lord Keeper &c. shall from time to time, upon suit made unto him, award Commissions under the great Seale, to the Lord Bishop of Norwich, and to eleven or more Justices of Peace of the Countie of Norfolk, and to six or more Justices of Peace of the Countie of Suffolk, as to him shall seeme good. The forme of the Commission. The Commissioners authoritie, viz. They may inquire by whose default the overflowings happened: They may take everie person, and all lands that be chargeable: They may appoint inferiour officers to execute that which shall be needfull: They may take labourers and Kasse for the performance of the worke: They may punish the disobedient: They may authorize others to leuie the money assessed: They may make orders for the preservation of the grounds in danger, and also reforme the same orders, and impose penalties upon such as shall breake them: They

They may so; some defaults sell or let the lands of others: They may take accounts of inferior Officers. All Sheriffs, Bailiffs, and other Officers in Dorset and Suffolke, shall attend and aid them, touching such things as shall concerne their places. AB. Sewers 21. &c.

21 Causes of exception to copihold estates. The estates of diuers of the Kings Copihold tenants haue bene, and shall be confirmed by decree, upon composition made with the Lord Treasurer and others. The Decrees made in the Exchequer and Duchie, concerning the Kings Copihold tenants, confirmed by Parliament. AB. Copihold & Copiholders 1. &c.

22 A Confirmation of a Subsidie of six Shillings in the pound graunted to the King by the Clergie of the Province of Canterbury, to be paid at foure severall dayes. Subsidie.

23 A graunt to the King by the Tempozaltie, of one Subsidie & one Fifteenth and Tenth. Subsidie and Fifteenth.

24 A Confirmation by Parliament, of the Kings generall and free Pardon: Except &c. Pardon.

FINIS.

V ij

The first of these is the
 fact that the system is
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 requires a constant supply
 of raw materials and
 labor. The third is the
 fact that the system is
 not self-sufficient. It
 requires a constant supply
 of raw materials and
 labor.

217

218

An Abridgement of all the Statutes,
whereof the whole or any part is generall, in
force, and vse, with certaine Quæres, Cautions, and Aduertise-
ments of such things that be doubtfull, together with the Authoritie and Dutie
of Iustices, Sherifes, Coroners, Elchevors, Maiors, Bailifes, Customers, Ste-
wards of Leets and Liberties, and what things by seuerall Statutes
in force they must, may, ought, or are compellable to do.

Abilitie & non Abilitie.



AND 25. Ed. 3. It was agreed in Parliament, that the
Law of the Crowne of England is, and alway hath been
such, that the children of the King of England, in whatso-
ever parts they be bozne, in England, or elsewhere, be able
and ought to haue the inheritance after the death of their
aunccestors: the which Law was confirmed by the sayd
R. Ed. 3. the Lords and Commons then assembled, to re-
maine for ever. And in the right of other children borne
out of the legiance of England, in the time of the said King Edw. 3. it was there-
agreed, that Henry sonne of Jo. of Breutemarch, Wy. the daughter of Wy. of Brien,
and John the sonne of R. de Darbney, and others to which the sayd King Edw. 3.
would name (the which were bozne beyonde the sea, without the legiance of Eng-
land) should be from thence forth enabled, to haue and enjoy their inheritance after
the death of their aunccestors in all parts within the legiance of England, as well
as those which should be bozne within the same legiance.

2. And it was then further enacted, That all children inheritable which should
be bozne without the Kings legiance, to which children either a father or mother, at the time
of their birth, shall be under the faith and legiance of the King of England, shall en-
ioy the same benefits, to haue and take inheritance within the same legiance, as o-
ther the aforesaid inheritors, in that the mothers of such infants doe passe ouer the
Sea, by the licence and good wills of their husbands. And if it be alledged against
any such bozne beyonde the sea, that he is a bastard, in case where the Bishop ought
to take cognisance of Bastardie, the Bishop of the place where the said person
is, shall be commoued to certifie the Kings Court where the plea dependeth, as
in auncient time it hath bene vsed, in case where Bastardie is alledged against
them which be bozne in England. 25. Edw. 3. Stat. 2. de patris ultra maris. 43.
Edw. 3. 10.

3. By the statute made 31. H. 8. 6. all religious persons professed, as well men
as women, to which were or after should be set at libertie, by suppression, dissolution,
or of their Monasteries, Abbies, Priories, &c. (or which were translated from one
corporation to another, 31. H. 8. 9. and the 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100. 101. 102. 103. 104. 105. 106. 107. 108. 109. 110. 111. 112. 113. 114. 115. 116. 117. 118. 119. 120. 121. 122. 123. 124. 125. 126. 127. 128. 129. 130. 131. 132. 133. 134. 135. 136. 137. 138. 139. 140. 141. 142. 143. 144. 145. 146. 147. 148. 149. 150. 151. 152. 153. 154. 155. 156. 157. 158. 159. 160. 161. 162. 163. 164. 165. 166. 167. 168. 169. 170. 171. 172. 173. 174. 175. 176. 177. 178. 179. 180. 181. 182. 183. 184. 185. 186. 187. 188. 189. 190. 191. 192. 193. 194. 195. 196. 197. 198. 199. 200. 201. 202. 203. 204. 205. 206. 207. 208. 209. 210. 211. 212. 213. 214. 215. 216. 217. 218. 219. 220. 221. 222. 223. 224. 225. 226. 227. 228. 229. 230. 231. 232. 233. 234. 235. 236. 237. 238. 239. 240. 241. 242. 243. 244. 245. 246. 247. 248. 249. 250. 251. 252. 253. 254. 255. 256. 257. 258. 259. 260. 261. 262. 263. 264. 265. 266. 267. 268. 269. 270. 271. 272. 273. 274. 275. 276. 277. 278. 279. 280. 281. 282. 283. 284. 285. 286. 287. 288. 289. 290. 291. 292. 293. 294. 295. 296. 297. 298. 299. 300. 301. 302. 303. 304. 305. 306. 307. 308. 309. 310. 311. 312. 313. 314. 315. 316. 317. 318. 319. 320. 321. 322. 323. 324. 325. 326. 327. 328. 329. 330. 331. 332. 333. 334. 335. 336. 337. 338. 339. 340. 341. 342. 343. 344. 345. 346. 347. 348. 349. 350. 351. 352. 353. 354. 355. 356. 357. 358. 359. 360. 361. 362. 363. 364. 365. 366. 367. 368. 369. 370. 371. 372. 373. 374. 375. 376. 377. 378. 379. 380. 381. 382. 383. 384. 385. 386. 387. 388. 389. 390. 391. 392. 393. 394. 395. 396. 397. 398. 399. 400. 401. 402. 403. 404. 405. 406. 407. 408. 409. 410. 411. 412. 413. 414. 415. 416. 417. 418. 419. 420. 421. 422. 423. 424. 425. 426. 427. 428. 429. 430. 431. 432. 433. 434. 435. 436. 437. 438. 439. 440. 441. 442. 443. 444. 445. 446. 447. 448. 449. 450. 451. 452. 453. 454. 455. 456. 457. 458. 459. 460. 461. 462. 463. 464. 465. 466. 467. 468. 469. 470. 471. 472. 473. 474. 475. 476. 477. 478. 479. 480. 481. 482. 483. 484. 485. 486. 487. 488. 489. 490. 491. 492. 493. 494. 495. 496. 497. 498. 499. 500. 501. 502. 503. 504. 505. 506. 507. 508. 509. 510. 511. 512. 513. 514. 515. 516. 517. 518. 519. 520. 521. 522. 523. 524. 525. 526. 527. 528. 529. 530. 531. 532. 533. 534. 535. 536. 537. 538. 539. 540. 541. 542. 543. 544. 545. 546. 547. 548. 549. 550. 551. 552. 553. 554. 555. 556. 557. 558. 559. 560. 561. 562. 563. 564. 565. 566. 567. 568. 569. 570. 571. 572. 573. 574. 575. 576. 577. 578. 579. 580. 581. 582. 583. 584. 585. 586. 587. 588. 589. 590. 591. 592. 593. 594. 595. 596. 597. 598. 599. 600. 601. 602. 603. 604. 605. 606. 607. 608. 609. 610. 611. 612. 613. 614. 615. 616. 617. 618. 619. 620. 621. 622. 623. 624. 625. 626. 627. 628. 629. 630. 631. 632. 633. 634. 635. 636. 637. 638. 639. 640. 641. 642. 643. 644. 645. 646. 647. 648. 649. 650. 651. 652. 653. 654. 655. 656. 657. 658. 659. 660. 661. 662. 663. 664. 665. 666. 667. 668. 669. 670. 671. 672. 673. 674. 675. 676. 677. 678. 679. 680. 681. 682. 683. 684. 685. 686. 687. 688. 689. 690. 691. 692. 693. 694. 695. 696. 697. 698. 699. 700. 701. 702. 703. 704. 705. 706. 707. 708. 709. 710. 711. 712. 713. 714. 715. 716. 717. 718. 719. 720. 721. 722. 723. 724. 725. 726. 727. 728. 729. 730. 731. 732. 733. 734. 735. 736. 737. 738. 739. 740. 741. 742. 743. 744. 745. 746. 747. 748. 749. 750. 751. 752. 753. 754. 755. 756. 757. 758. 759. 760. 761. 762. 763. 764. 765. 766. 767. 768. 769. 770. 771. 772. 773. 774. 775. 776. 777. 778. 779. 780. 781. 782. 783. 784. 785. 786. 787. 788. 789. 790. 791. 792. 793. 794. 795. 796. 797. 798. 799. 800. 801. 802. 803. 804. 805. 806. 807. 808. 809. 810. 811. 812. 813. 814. 815. 816. 817. 818. 819. 820. 821. 822. 823. 824. 825. 826. 827. 828. 829. 830. 831. 832. 833. 834. 835. 836. 837. 838. 839. 840. 841. 842. 843. 844. 845. 846. 847. 848. 849. 850. 851. 852. 853. 854. 855. 856. 857. 858. 859. 860. 861. 862. 863. 864. 865. 866. 867. 868. 869. 870. 871. 872. 873. 874. 875. 876. 877. 878. 879. 880. 881. 882. 883. 884. 885. 886. 887. 888. 889. 890. 891. 892. 893. 894. 895. 896. 897. 898. 899. 900. 901. 902. 903. 904. 905. 906. 907. 908. 909. 910. 911. 912. 913. 914. 915. 916. 917. 918. 919. 920. 921. 922. 923. 924. 925. 926. 927. 928. 929. 930. 931. 932. 933. 934. 935. 936. 937. 938. 939. 940. 941. 942. 943. 944. 945. 946. 947. 948. 949. 950. 951. 952. 953. 954. 955. 956. 957. 958. 959. 960. 961. 962. 963. 964. 965. 966. 967. 968. 969. 970. 971. 972. 973. 974. 975. 976. 977. 978. 979. 980. 981. 982. 983. 984. 985. 986. 987. 988. 989. 990. 991. 992. 993. 994. 995. 996. 997. 998. 999. 1000.

and after the time that they were set at libertie, were enabled to purchase lands and

Kings child, &
bozne beyond
sea, inherita-
ble in Eng-
land.

Children in-
heritable
where their
mothers passe
the sea, by li-
cence of their
husbands.

Trial of Ba-
stardie plead-
ed against him
which is bozne
beyonde the sea

Religious
persons ena-
bled to inher-
it, purchase, sue,
and be sued.

Abridgement of Plaints. Actions Popular.

and their heires in fee simple, fee taile, for terms of life, yeeres, or at will, any other noys, lands, tenements, rents, annuities, and other hereditaments and things whatsoeuer. And also to sue and to be sued in all actions, plaints, and suits whatsoeuer, for any matter or cause growne, after the time of their seueral detraiment or departing out of their religion, in all Courts and places within the Realme, and to receiue, take, and enioy euerie lawfull thing to them growne or happened, after their departing out of their religion, in as ample maner as if they had neuer entred into religion. But by the said Stat. of 3. H. 8. and the Stat. of 5. Ed. 3. it was provided, that none of the said religious persons should be taken and iudged as heire or inheritable to any person, by reason of any former right, title, interest, or cause, had, made, discended, or growne, before their seueral detraiment or departing out of religion.

The examination of the abilitie of a Parson presented to a Benefice, doth pertain to an Ecclesiasticall Iudge. S. Ecclesiasticall 3.

Abridgement of Plaints.

The plaintiffe in Aulse may abridge his plaint.

The plaintiffe in euerie Aulse, may at his pleasure seuer and abridge his plaint, of any part or parts, whereunto any barre is pleaded, in such like maner as he might do, in case that place in barre had bene made, and diuided to any certaintie or number of acres in the plaint. And the plaint for the residue of the part or parts of the lands not abridged, shall be and stand good in the law. 2. H. 8. 3.

Actions Popular, Informations.

Actions popular sued by collusion.

If an Action Popular be sued against any man by collusion, and the plaintiffe in the same do recover against the defendant, or be barred, any other person may afterwards sue against the same def. another Action Popular with good faith, & shall in the same recover and haue execution, if the recoverie or barre in the first action be found to be by couin. And the def. being attainted of couin, shall haue two yeres imprisonment, by proces of Capias and Vclagarie, to be sued within the yere after iudgement given, or at any time after, untill the def. be had and imprisoned, & that as well at the Kings suit, as at euerie other persons that will sue in that behalfe. And no release of any common person, made to any partie before, or after an action popular or indictment hanging, shall be available to let or surcease the said action, indictment, proces, or execution.

No couin allowed where there hath bin trial.

It is provided likewise, that no plaintiffe or plaintiffes be in any wise receiued to auerres any couin in any Action popular, where the point of the same action, or else collusion hath bene once tried, or lawfully found, with or against the plaintiffe by trial of iustices men, and not otherwise. 4. H. 7. 20.

within what time actions popular shall be sued.

All actions, suits, bills, indictments, or informations which shall be had, brought, sued, or exhibited, for any forfeiture vpon any Stat. penall, made or to be made, whereby the forfeiture is or shall be limited to the Quene, her heires or successors onely, shall be had, brought, sued, or exhibited, within two yeeres next after the offence committed, or to be committed against such Act penall, and not after y. yeres. And all actions, suits, bills, or informations, which shall be had, brought, sued, or commenced, for any forfeiture vpon any penall Statute made or to be made, the benefit and suit whereof is or shall be by the said Stat. limited to the Quene her heires or successors, & to any other which shall prosecute in that behalfe, shall be had, brought, sued, or commenced by any person that may lawfully pursue for the same within one yere next after the offence committed, or to be committed against the said Statute, and in default of such pursuit, then the same shall be had, sued, exhibited, or brought

brought for the other heirs or successors, at any time within two years after that pretended. And if any action, suit, bill, indictment, or information, for any offence against any penal law made or to be made, shall be brought after the time in that behalf before limited, then the same shall be void of no effect, any act or law made to the contrary notwithstanding. But where any action, information, indictment, or other suit, is or shall be limited by any law, penal, to be had, sued, commenced, or brought within shorter time than is afore rehearsed: in every such case the action, information, indictment, or other suit, shall be brought within the time limited by such statute. 37. Eliz. 5. S. Husbandrie 264.

3. Every Informer upon any penal law shall exhibit his suit in proper person, and pursue the same only by himselfe, or his Attorney in Court. None shall be admitted or received to pursue against any person upon any penal law, but by way of information, or original action, & not other wise, nor shall have ne use any depute at all. And upon every such information, which shall be exhibited, a special note shall be made of the veris day, moneth, and yeare, of the exhibiting thereof into any office, or to any officer, which lawfully may receive the same, without any manner of Antedate thereof to be made. And the same Information shall be accounted to be of Record, from that time forward, and not before. No process shall be sued out upon any such Information, until the Information be exhibited in some of the said offices. And upon every such process shall be indorsed as well the parties name that pursueth the same process, as also the law, upon which the Information in that behalf made, is grounded. And every Clerke making out process contrary to the tenor and provision of this Act, shall forfeit for every such offence p. s. to the R. and the parties against whom any such defective process shall be awarded, to be recovered in any Court of Record, by action, Information, &c. wherein no wager, C. p. or J. &c. 18. Eliz. 5.

4. No such Informer or plaintiff shall compound or agree with any person that shall offend, or shall be furnished to offend against any penal law, for such offence committed, or pretended to be committed, but after answer made in court unto the Information, or suit in that behalf exhibited or prosecuted, nor after answer, but by the order or consent of the Court, in which the same information or suit shall be depending, upon pains and penalties hereafter declared. And if any such Informer or plaintiff shall willingly delay his suit, or shall discontinue, or be nonsuit in the same, or shall have the trial or matter passe against him therein, by verdict or judgment of law: Then the same Informer or plaintiff shall pay unto the defendant his costs, charges, and damages, to be assigned by the Court, in which the same shall be attempted. For the recovery and execution whereof, every such defendant shall immediately upon the same costs, damages, &c. assigned, have his *Capias ad satisfaciendum*, *Fieri facias*, or *Elegit*, to be awarded unto him out of the same Court, in which the same shall be so assigned, as in other cases of Execution. 18. Eliz. 5.

5. If any person or persons (except the Clerkes of the Court onely, for making out of process, otherwise than is above appointed) shall offend in suing out of process, making of composition, or other misdemeanour, contrary to the true meaning of this statute, or shall by colour or pretence of process, or without process, upon colour or pretence of any matter of offence against any penal law, make any composition, or take any money, reward, or promise of reward, for himselfe, or to the use of any other, without order or consent of some of the Justices of the Court at which he or they so offending, being thereof lawfully convicted, shall stand on the pillorie in some market towne next adjoining, where the same offence shall be committed in the open market time, and there remaine by the space of 4. houres: And shall after such conviction for ever be disabled to pursue or be plaintiff, or Informer.

Information exhibited in proper person. Information, original actio. No deputies. Note of the day, moneth, and yeare.

Indorsement of the information.

No Informer shall compound with the defendant, but by consent of the Court.

Costs & damages, if the Informer delay &c.

The punishment of the Informer offending.

Indorsement of the information.

Actions Popular.

- former in any suit, or information upon any Statute popular or penal: And shall also for everie such offence forfeit .x. l. to the D. n. & the partie grieved, to be recovered by A. J. &c. wherein no W. &c. P. or Injunction, &c. 18. Eliz. 5.
- Statutes against maintenance, &c.** 6 But it shall be lawfull for everie person grieved by meanes of any maintenance, champertie, buying of titles, or imbecarie, to pursue upon any Statutes provided against maintenance, &c. as he might have done before the making of this Act. 18. Eliz. 5.
- Penalties given to persons certain.** 7 This Act shall not extend to any suit depending (before the 8. day of February 1575.) nor shall restrain any certain person, body politique or corporate, to suit in or to whose use any forfeiture, penaltie, or suit, is, or shalbe specially limited or granted by any Statute, and not generally to any person that will sue; but euerie such person &c. may in such case sue, inform, &c. as he might have done, if this Act were neuer made. 18. Eliz. 5. 27. Eliz. 10. S. l. of peace 37.
- Informers restrained by order of court.** 8 No person other than the partie grieved, shalbe received to inform or sue upon any penall Stat. that before that time hath bene for any misdemeanour by any order of any of the D. Courts ordered not to follow or pursue any suit upon any penall Stat. 31. Eliz. 5.
- The Countie expressed where the offence was done.** 9 In any declaration or information to be had, brought, sued, or exhibited, the offence against any penall Stat. shall not be laid to be done in any other Countie, but where the contract or other matter alleged to be the offence, was in truth done. And euerie defendant in such action or information, shall & lawfully may traueise and alledge, that the offence supposed by the same suit to be committed, was not committed in the Countie where such offence is alleged: which being tried for the defendant, or if the plaintiff be thereupon nonsuit in his information or suit, then the plaintiff shalbe barred in that action or information, any law or use to the contrary notwithstanding. 31. Eliz. 5.
- Certain offences whereupon information may be in any Countie.** 10 This Act shall not extend to the laying or alleging of any offence in any declaration or information, for or concerning any champertie, buying of titles or extortion, or any offence committed or to be committed against the Stat. made An. 1. Eliz. intituled, An Act limiting the times for laying on land merchandise from beyond the seas, & touching customes of sweet wines: And one other Act made in the said An. 1. Eliz. intituled, An Act of a Subsidie of tonnage and ponage, or any thing in any of them contained, or for the concealing or defrauding the D. n. her heires or successors, of any custom, tonnage, ponage, subsidie, impost, or passage, or for any matter of corrupt dealing, or for any offence comprised in any Stat. made, or to be made against ingrossing, regrating, or forestalling, where the penaltie or forfeiture shal appeare to be to the value of 10. l. or above. But euerie such offence shal or may be laid in any Countie at the pleasurs of any such Informer. Any thing in this Act &c. notwithstanding. 31. Eliz. 5.
- Offences only punishable at the Sessions, Assizes, &c.** 11 All suits to be pursued upon any Stat. for using any unlawful game, or for not using any lawfull game, or for not having bowes & arrowes according to the law, or for using any act or myserie in the which the partie hath not bene brought up, according to the Stat. in that behalf made, shalbe sued and prosecuted in the generall D. Sessions of the peace, or Assize of the same Countie where the offence shalbe committed, or otherwise enquired of, heard and determined in the Assizes, or generall D. Sessions of the peace of the same Countie, where such offence shal be committed, or in the Court within which it shall happen, & not in any wise out of the same Countie, where such offence shall happen to be committed. 31. Eliz. 5.
- Officers binding to exhibit Informations.** 12 The foresaid Acts (of 18. Eliz. 5. 27. Eliz. 10. 31. Eliz. 5.) shall not extend to any such officer of Record, as haue in respect of their offices heretofore lawfully used to exhibit Informations, or sue upon penall Lawes. But they and euerie of them may inform and pursue in that behalf, as they might haue done. Any thing

Accomptants and Debtors to the King.

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in these Acts, &c. notwithstanding. 18. Eliz. 5. 27. Eliz. 10. 31. Eliz. 5.

1 The defendant shal be admitted to haue a *Tales de circumstantiis* in actions popular. S. Iurors 26.

2 The Iurie in suits vpon penall lawes, shall not bee compelled to appeare at Westminster. S. Iurors 31.

3 Certaine Iustices haue authority to heare and determine offences committed by Informers. S. Iust. of peace.

Accomptants and Debtors to the King.

All Obligations and specialties, which shall be made for any cause in any wise concerning the King, or his heirs, or to his or their use, commoditie, or behoofe, shall be made to him and to his heirs, Kings or Quenes, in his or their name, by these words, *Domini Regi*, and to none other person to his use, and to be paid to him by these words, *Soluend' eidem Domini Regi, heredibus vel executoribus suis*, with other words used in common Obligations. And if any person make or take any Obligation to the King, use in any other manner, he shall suffer such imprisonment as shall be adjudged by the King's Council. And all such Obligations and specialties to be made, shall be effectual in the Law, to all purposes, and shall be in the same nature and effect, to all intents, as the writings obligatorie taken and knowledged, according to the Stat. of the Staple at Wilest. haue at any time bene taken and executed against any lay person. 33. H. 8. 39.

The forme & effect of Obligations made to the King.

In obligation made to the King in the nature of a Stat. Staple

2 All such Obligations and specialties, the debt whereof being not paid nor contented in the life of the King or Quene, shall remaine and be to the heirs of the King or Quene at the free libertie and appointment of the same King or Quene, to whom the same shall be made. 33. H. 8. 39.

Who shall haue the King's debts.

3 The King in all suits to be taken vpon any specialtie made to his Grace, or to any to his use, shall recover his iust costs and damages as other common persons use to doe in suits for their debts. 33. H. 8. 39.

The King shall recover costs and damages.

4 In all actions and suits to be taken or pursued in any of the Courts of the Exchequer, Duchie of Lancaster, or Wales and Lincres, for the recovery of any debt which shal appertaine, accrue, or be to the King by reason of any Attainder, Outlawrie, forfeiture, gift of the partie, or by any other collateral meanes, It is sufficient to alledge in the sayd suit generally, that the partie to whom the said debt was due or did belong, such year and day did give the same debt to the King or was attained, outlawed, or other offence, forfeiture, or thing committed, by reason whereof the said debt did accrue, and ought to remaine and come to the King and the same matter so alledged in generalltie, without shewing the circumstance thereof, shall be of as good effect in the law to all intents, as if the whole matter were alledged in enerie point. 33. H. 8. 39.

Debts due to the King by attainder, forfeiture, gift, &c.

5 If any suit be commenced, or any process be awarded for the King for the recovery of any his debts, the same shall be preferred before the suit of any other person, and the King his heirs & successors, shal haue first execution against any defendant for his said debts before any other person, so alwayes that his suit be commenced or process awarded for the said debt at the suit of the King or before Judgement given for the said other person. 33. H. 8. 39. And if the King's debts be due, the King shall first pay his whole debt. Mag. Chart. 9. H. 3. 18.

The King's suits shall be preferred.

6 All pawns, lands, &c. and hereditaments, the which shal come or be in or to the hands or seisin of any person to whom the same shal be lent, reuert, or remaine in fee simple, or fee taile, general or speciall, by, from, or after the death of any of his ancestors, as heirs, or by the gift of any his ancestors, whose heirs he is, which said ancestors shall be indebted to the King or to any other person to his use, by Judge,

Lands entailed, chargeable to the payment of the King's debts

Accomptants and Debtors to the King.

Judgement, Recognisance, Obligation, or other specialtie, the debt whereof shall not be contented and paid, then in everie such case the same Manors, lands, &c. shall be and stand charged, to and for the payment of the same debts, of every part thereof. And our said Sovereigne Lord, his heires and successours, shall not be barred or delayed, to demand, have, and receive, his lawfull debts and duties, against any his subjects, as heire or heires to any person indebted to his Highnesse, or to other persons to his use, albeit this word (Heire) be not comprised in such Recognisance, Obligation, or specialtie: or that any such person shall alledge, that he hath not any manors, lands, or hereditaments, to him descended, but onely such as be entailed or given to him by any his aunccestors to whom he is heire. But the R. his heires and successours, may at his ec. libertie and pleasure, demand and recover his sayd debt, against any executor or executors, administrator or administrators, of any such person indebted, if he or they shall have assets in his or their hands in deed, or in Law. 33. H. 8. 39.

7 But if the sayd manors, lands, and hereditaments, or any of them, shall be recovered from the possession of any such person, by any iust or former title, without fraud or coun, which be chargeable as is aforesaid, then they shall be clearly discharged of the payment of the said debts, and of every part thereof. 33. H. 8. 39.

8 If any person of whom any such debt or duty shall be demanded, do shew in any of the said Courts, sufficient matter in law, reason, or good conscience, in discharge of the said debt, or why such person ought not to be charged with the same, and the same matter so shewed be sufficiently proved in such one of the said Courts as he shall be impleaded or troubled for the same, then the said Courts have full power to allow the same proof, and clearly to discharge every person that shall be so impleaded. 33. H. 8. 39.

9 If any lands, &c. which shall be charged, to, or with the debt of our sayd Sovereigne Lord, his heires or successours, shall be in the feisin of divers persons, other then the Obligor or Obligors, then all the said lands, &c. and every parcel of them, shall be wholly, and in no wise severally chargeable with the payment of the sayd debt and duties. 33. H. 8. 39.

10 Everie person named or appointed to be Treasurer, or generall, or particular Receiver, Collector, or Bailiff, or Minister accomptant to the King, shall before his entrie, executing, using, or exercising of his Office, whereunto he shall be so nominated or appointed, together with suretie or sureties, acknowledge & make sufficient and lawfull bond or bonds to the King in such Court of Record, where the same Officer shall be accomptable and chargeable, that he, his heires, executors, administrators, assigns, or deputies, shall truly accompt, and pay all such summes of money as shall come to his hands, or shall, may, or reasonably might be charged with, concerning his Office, to the Kings use, within the circuit of his receipt and collection, at such or like dayes and times, and in such manner as is hereafter expressed to be contained in the conditions of every of the said bonds, upon payne of forfeiture of his Office, and of his Letters patents of the same Office. 7. E. 6. 11. S. 15. 16. 17. 18.

11 Every Receiver of the Kings lands, rents, and revenues, or his deputie, shall yearly make his severall precepts to all and singular Collectors, Huntsters, and Bailiffs accomptant within the circuit of his Office, commanding them on the Kings behalf by the same precept, to appeare before him personally, or by their sufficient deputie or deputies, for whom they will answer, within the Countie where the same Offices, Bailiwicks, &c. or collections do lye, at a certaine day and place in the same precept to be limited, and to pay to the Kings use such summes of money as they ought to doe, by reason of any their sayd Offices, being due to the King, at or before the feast of Easter, which they have or may by any

law

Specialties made to the R. without this word (Heire.)

The R. may recover his debt against the executor.

Lands recovered by former title.

Upon sufficient matter proved the Court may discharge the supposed debtor.

When the debtors lands come into several hands.

Officers bound with suretie for their true accompt and payment.

Receivers precepts to the Accomptants.

The baillies payes rent due at Easter.

lawfull meanes receiue, within oꝛ by reason of their said offices, and the same Precepts shall be severally deliuered to euerie of the said Officers accomptant, oꝛ to their deputies, oꝛ else bee left at their dwelling houses, oꝛ at the the Manor oꝛ place where their receipt is, oꝛ ought to be, twelue dayes at the least befoze the day of apparance to them giuen in the same Precept. And if any of the sayd Ministers, Collectors, oꝛ Bailifes accomptants, after any such Precepts made by any such Receiuer, and deliuered oꝛ left in forme aforesayd, doe make default at the same day oꝛ place assigned by the same Precept, and being thereof lawfully conuicted in the Court where the reuenue shall be answered, hee shall foꝛ the first offence foꝛseyt to the King his whole se for that yeare, wherein he shall so make default, oꝛ the value thereof, and foꝛ nonpayment of the sayd money due and payable at oꝛ befoze the sayd Feast of Easter vnto the King, within oꝛ by reason of his abouesayd offices collection, oꝛ baptisme, shall foꝛseyt foꝛ the first offence of nonpayment vi. s. of the pound, in the name of a payne, foꝛ euerie moneth after the sayd day of apparance, vntill the same money shall bee by him oꝛ his deputie payed to the hands of the sayd Receiuer, to the Kings vse. And after the first default of apparance made by any of the sayd Officers, and another like Precept by the sayd Receiuer bee made and deliuered, oꝛ left in forme aforesayd, then the sayd Officer making againe default, and being thereof lawfully conuicted, as aforesayd, foꝛ the second default of non-apparance, shall foꝛseyt to the King his Office and se. And foꝛ the sayd second offence in the nonpayment of the sayd money due and payable by reason of his Office, at oꝛ befoze the sayd feast of Easter, shall foꝛseyt xij. pence of euerie pound, in the name of a paine, foꝛ euerie moneth after the sayd last day of apparance and default made, as is aforesayd, vntill the same money shall be by him oꝛ his deputie paid to the hands of the sayd Receiuer, to the vse of the King. 7. Ed. 6. 1.

The foꝛfeiture where the accomptant maketh default.

Second default.

12. Euerie Auditor of the Kings, of his Lands, Possessions, Kents, and Reuenues, foꝛ the time being, oꝛ his sufficient Deputie, shall haue full power yearly to make his Precepts to all Ministers, Collectors, and Bailifes accomptants, commaunding them in the behalfs of our sayd Soueraigne Lord, to appeare and accompt befoze him personally, oꝛ else by his sufficient Deputie oꝛ Deputies, at a place certaine within the Countie where the same lands and possessions doe lye, at the Kings Audite to bee holden there yearly, betwene the Feast of Saint Michael the Archangell, and the Nativite of our Lord God, of, and foꝛ all Kents, Reuenues, and profits, due and payable within, oꝛ by reason of their said Offices, &c. at oꝛ befoze the Feast of Saint Michael the Archangell next befoze the same Audite, expꝛessing in the same Precepts, the time and place when and where the same Ministers, Collectors, and Bailifes accomptable, oꝛ their sufficient Deputies, foꝛ whom they will answer, shall appeare, the same Precepts to bee deliuered to the same Ministers, &c. accomptable, oꝛ their Deputies, oꝛ left at their dwelling houses, oꝛ at the Manor oꝛ place where their collections are oꝛ ought to be, twelue dayes at the least befoze the day of apparance to them pꝛescribed in the same Precepts. And if any Minister, &c. accomptant, doe not appeare befoze the sayd Auditor oꝛ his Deputie at the sayd Audite according to the sayd Precept, oꝛ else if he doe appeare, and refuse to accompt foꝛ his sayd receipt &c. befoze the sayd Auditor, &c. and being thereof lawfully conuicted in the Court where the reuenue shall be answerable, he shall foꝛ his first offence foꝛseyt to the King his whole se foꝛ that yeare, wherein he shall so make default, oꝛ the value thereof. And foꝛ the nonpayment of the sayd money due and payable within his collection, &c. at oꝛ befoze the said Feast of Saint Michael the Archangell, shall foꝛseyt to the King foꝛ his first offence six pence of euerie pound, in the name of a payne, foꝛ euerie moneth after the sayd day of apparance and default made, as is aforesayd, vntill he oꝛ his sufficient Deputie shall accompt befoze the sayd Auditor oꝛ his Deputie, foꝛ his sayd

Auditors precepts to the accomptants.

The halfe pꝛesent rent due at Michaelm.

Twelue dayes warning. If the accomptant make default.

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Accomptants and Debtors to the King.

**Second
default.**

**Officers ac-
comptants
concealing
dueties.**

**The R. bey-
lives may di-
staine for ar-
rarges.**

**Within what
time Recei-
vers shall
make payment**

**With the Re-
ceivers shall
account.**

collection, &c. And also pay vnto the hands of the sayd Receiuer, euerie such summe of money, as shall be iustly found due by the sayd Accomptant before the sayd Audi- tor, &c. to the Kings Maiestie, vpon the foot and determination of his accompt. And after the first default of apparance made before the sayd Auditor, &c. by any of the sayd Officers accomptant, being so warned as is aforesayd, and after another like Precept made and deliuered, or left in forme aforesayd, then that sayd Officer that so shall make againe default of apparance, for the sayd second offence, in making default of his apparance, as is aforesayd, and being thereof duly conuicted in the Court where the reuenue of his sayd Office shall be answerable, shall forfeit to the King his Office and fee. And for the second offence in the nonpayment of the sayd money due and payable by reason of his receipt &c. at or before the sayd feast of Saint Michael, shall forfeit to the King xj. pence of euerie pound, in the name of a paine, for euerie moneth after the sayd last day of apparance and default made, as is aforesayd, untill he or his sufficient deputie, shall accompt before the said Auditor or his deputie, for the sayd receipt, collection, or bayliwike, and also pay vnto the hands of the said Receiuer or his deputie, to the Kings vse, all such summes of money, as shall be iustly found due by the sayd Accomptant, vpon the foot and determination of his sayd Accompt. 7.Ed.6.1.

13 *Statute* the foresaid Statute of 33.H.8.39. if any Baylife, Receiuer, or other Officer accomptant of the King, vpon the declaration of his Accompt, both willingly con- ceale and withhold any rent, reuenue, fine, harriot, or other casualtie whatsoever it be, of the which he ought to haue made accompt, and that duly proued before the head Officer of the Court, where &c. he shall lose his office and fee, and thre times so much as he hath concealed.

14 Euerie Receiuer, Collector, and Baylife of any of the Kings lands, rents, or reuenues, for lacke of payment and leuying of their said rents, issues, and reuenues, within their offices, haue power to distraine for the same, and to order the same dis- tresses in such sort, as any officer of the Exchequer, for leuying of the kings re- uenues, answerable in the same Court, heretofore haue done, and may lawfully doe, deliuering to the parties distrained the surplussage of the value of euerie such distresse (if any shall be) the R. duties being first paid, and the distrainant answered of reason- able costs. 7.Ed.6.1.

15 Euerie Receiuer of the Kings lands, rents, reuenues, &c. shall make ready and full payment yearly to the Treasurer, or generall Receiuer of the Court where the sayd reuenues shall be answerable, or otherwise as he shall be appointed by suffici- ent warrant, of all such summes of money as he shal know to be due to the King, and can by any lawfull means get or receiue of the rents or reuenues of our said So- ueraigne Lord, within or by reason of his Office, being due at or before the feast of Easter, by the twentieth of June then next following at the farthest. And also shall make like payment yearly of all his like receipts of the rents &c. that shall be due at or before the feast of Saint Michael the Archangell by the xx. day of Januarie then next following at the farthest, vpon paines of forfeiture for euerie default at any of the sayd dayes, two pence of euerie pound for euerie day that the sayd money so by him shall be unpaid. 7.Ed.6.1.

16 Euerie of the said Receiuers, or their deputies for whom they will answer, shall enter into their account yearly in the Terme of Saint Hillarie, and fully finish the same before the tenth day of March then next following, and make full and ready payment of the money that shall appeare to be due vpon the foot of the same accompt, before the xx. day of the said moneth of March, vpon paine of forfeiture to the King, their offices and fees, and lxxv. of the pound for euery day that they shal withhold the said money. 7.Ed.6.1.

17 All Treasurers, Chamberlaines, and generall Receiuers of any of the R. Courts

Courts of revenue for the time being, and all Customes, and Collectors of Customs, or certayne and staled Subsidies within any port, haven, or creek of the Realme of England, which now be, or hereafter shall be, within tenne dayes next after notice to him or them given from the King, or sir of his privie counsell, in writing signed with their hands, shall by themselves, or their sufficient Deputies, for whom they will answer, declare in writing, what summes of money then being due unto our saide Soueraigne Lord, be at that time in his or their hands, and shall make ready and full payment of all the said summes, as then shall remaine in his or their hands (ouer and aboue the ordinarie payments and summes of money contained in sufficient warrants remaining in their offices, and being in their full force, and not lawfully countermanded, nor trucked to their knowledge) to the vse of the King, at such time, and in such sort, as they shall be commanded by sufficient warrant, upon payn of forfeiture of his or their office or offices. 7.Ed.6.1.

These Accomptants shall declare what money they have, and make ready payment.

18 The same Treasurers, Chamberlaines, and generall Receiuers, by themselves, or their deputies, for whom they will answer, shall yearly before the xx. day of June make a perfect account of all such money or treasure, as hath come to their hands to the Kings vse, yearly at or before the xx. day of March, then next before the said xx. day of June, and shall make a perfect declaration in writing of the money remaining in euery of their hands, to the King, or to his privie counsell, yearly before the last day of June then next following, and make payment of the same, at such time, & in such sort, as they shall be commanded by sufficient warrant, upon paine of forfeiture of their offices. 7.Ed.6.1.

Within what time these accomptants shall make their accounts yearly,

19 If any Auditor, or his Deputie, which ought to take the account of any Treasurer, Chamberlaine, Receiuer, or other officer accountable before him, doe refuse, or willingly delay the taking of the same account, in such wise, as it cannot be finished within the time appointed by this Act, then he being thereof duly convicted in the court where the revenue or charge of the same account shall be answerable to the King, shall lose such like forfeiture as the Treasurer, Chamberlaine, Receiuer, or other Officer abovesaid ought to doe by this Act, for not accomplishing, or, and for their charges and office or offices: And thereby the same Treasurer, Chamberlaine, Receiuer, and other Officer that should account, & shall be refused or delayed, shall be discharged of any pain, loss, or forfeiture for not accomplishing. 7.Eliz.6.1.

If the Auditor refuse or be so to take the account.

20 The duplicat or copie of euery account that shall be made by any Treasurer, or Receiuer, or by their deputy, in forme abovesaid, within convenient time after finishing of the same, & at the reasonable request & costs of such Accomptant, shall be deliuered unto them subscribed with the hand of the Auditor that shall take the same account, or of his deputie &c. upon paine, that the same Auditor shall forfeit to the King for euerie such default &c. 7.Ed.6.1.

The copie of the account deliuered to the accomptant.

21 But this Act shall not charge any Archbishops, or Bishops, to make any bonds, or to make their Account and Payment of the Tenths arising within any of their Dioces due to the King, in any other maner then they haue been charged or Accountable and Chargeable by the Lawes and Statutes of this Realme. 7.Ed.6.1.

Bishops for Tenths.

22 Neither shall this Act extend to touch or charge any Shirife, Cicheator, or Collector of any Dismes, Quindismes, Beneuolences, Contributions, or Subsidies (Subsidies of Tonnage and Poudage onely except) but that euery of them may exercise their said seuerall offices, and pay such summes of money, as any of them shall be charged withall by their seuerall offices, in like sort as euery of them haue usually done, or ought to doe, if this Act had neuer bene made. 7.Ed.6.1.

Shirife. Cicheator. Collector.

Accomptants and Debtors to the King.

**Collectors of
Fines,
Subsidies,
& other taxes.**

23 Every high Collector of any Fines, Subsidie, or other tax or loan, shall within thre moneths next after such times as the same shall be due, and payable to the King, his heires or successors, by any Statute, Ordinance, or other meane, and by the same Collector received, truly pay the same to the Kings use, at such place, and to such person as shall be named for the same, upon paine to forfeit to the King, his heires and successors, for every pound so being received, and after that retayned, kept, or layd out for gaine, and not payed within thre moneths to the Kings use, as is aforesaid, iij. s. for every moneth that the same money shall be retained, kept, or laid out for gaine, and also shall lose his office concerning the same, and all profits thereunto belonging. And the King shall at his pleasure charge the said Collector, upon his accompt, with the penaltie and forfeitures aboue rehearsed, or else recover the same by Action, Bill, Plaint, or Suit of debt against the same Collector, his heires, executors, or administrators, wherein no W. et. C. or P. et. 34.H.8.2.

**The Collec-
tors payment
being tendered,
sufficeth.**

24 If any of the said Collectors tender paymēt of all such mony by him received to the K. use within the said thre moneths, in such place, & unto such person as shall be charged with the receipt of the same, & do as much as in him the shalbe for to make true payment thereof, & cannot be thereunto admitted by reason of importunate busynesse, or other lawful impediment in him that should receive the same, then the same Collector et. shall not be charged with, or incurre any danger or penaltie contained in this Act. 34.H.8.2.

**How far the
Collectors
heire shall be
charged.**

25 The heire of any Collector aforesaid (or of any Receiver of the Exchequer, Duchie of Lancaster, or Court of Wards and Liveries) shall not be charged by reason of this Act, but onely for, and in such lands et. or hereditaments, which hee shall have by descent in fee simple, or fee taile, or by gift, or else by any other assurance made to any such heire onely by couin from the said Collector, or Receiver, or any of their Assignes. And in suerie such case, the King, his heires and successors shall have execution onely, of, and in such lands et. or hereditaments descended, given, or otherwise assured, as is aforesaid, untill such time as his Spaight et. be fully satisfied of every such summe of money due by any such Collector or Receiver. 34.H.8.2.

**Collectors ex-
ecutors, or ad-
ministrators
charged.**

26 The executors or administrators of every such Collector shall not be otherwise charged by this Act, but as executors and administrators should be chargeable by the order of the common law, in actions of debt bsd against them as executors or administrators. 34.H.8.2.

**The heire be-
ing charged,
shall have re-
medy against
the executors
et.**

27 Where the heire of any of the K. Collectors, Receivers, or Debtors shall be charged for his fathers or auncels debts, or duties, whose heire he is, whereby the land descended or given to him by couin to defraud the K. execution thereof, is put in execution, then such heire shall & may have his action of debt against the executors or administrators of his said father or auncel, & shall have execution of the goods & cattels of the said father or auncel, being in the hands of the said executors or administrators at the time of the said action brought: In which action no W. et. or P. et. 34.H.8.2.

**Collectors of
the custome of
the subsidie of
tonnage and
pouage.**

28 This Act of 34.H.8.2. doth not extend to the Collectors of the K. Custome, nor of the Subsidie of Tonnage and Pouage, which be accountable yerely in the K. Exchequer. And this Act was provided for Receivers also: But the foresaid Statute of 7.Ed.6. appointeth an other order of accompt and payment to them, & also other penalties.

**These et.
comp. lands
liable to the
payment of
their debts.**

29 All lands, tenements, profits, commodities, and hereditaments, which any Treasurer, or Receiver, in, or belonging to any of the Princes Courts of the Exchequer, Wards and Liveries, Duchie of Lancaster, Treasurer of the Chamber, Cofferer of the Household to the Queen, her heires and successors, Treasurer for
the

the warres, Treasurer of any Fort, Towne, or Castle, where any garrison is or shall be kept, Treasurer of the Admiraltie or Harboure, Treasurer, under Treasurer, or other person accountable to the Quene, her heires, or successors, for any office or charge, or, within the spirit, Treasurer or Receiver of any summes of money in prest, or otherwise, for the use of the Quene, her heires, or successors, or for provisions of victuall, or for fortifications, buildings, or works, or for any other provisions, to be used in any the offices of the Quenes Ordnance and Artillery, Armourie, Warrehouse, Tents, and Banillions, or Kitchens, Customers, Collectors, Farmers of Customs, Subsidies, Imposts, or other duties within any part of the Realme, Collector of the Tenths of the Clergie, Collector of any Subsidie or Fifteenth, Receiver general of the Revenues of any County or Counties answerable within the receipt of the Exchequer, or in the Court of Wardes and Liveries, or the Duchie of Lancaster, Clarke of the Hammer, now hath, or at any time hereafter shall have, within the time whilste he or they, or any of them shall remaine accountable, shall for the payment and satisfaction unto the Quene, her heires, and successors, of his or their arrearses (at any time to be lawfully according to the Lawes of this Realme adjudged, and determined upon his or their account, all his due and reasonable petitions being allowed), be liable to the payment thereof, and be put in execution for the payment of such arrearses, or debts, to be so adjudged and determined upon any such Treasurer, Receiver, Teller, Customers, Collectors, Farmers, Officers, or Accountants, as is afore named, in like and in as large manner, to all intents, as if the same Treasurer, Receiver, or Collector, or, upon whom any such arrearses or debts shall be so adjudged, had the day he became first Officer or Accountant, and bound by writing Obligation, having the effect of a Statute of the Staple, to her Heiress, her heires, or successors, for the true answering and payment of the same arrearses or debts.

13. Eliz. 4.

30 If any Treasurer, Receiver, Collector, or, other person accountable before mentioned, which shall receive or be chargeable with any money or treasure of the Quene, her heires, or successors, and shall upon the determining of his account (all his due petitions to him upon the same account being allowed) or by reason of any Farme, as afore said, be found in arrearses, or to owe unto our Sovereigne Lady, her heires, or successors, any summe of money, and shall not within the space of six moneths next after his accounts finished, or debt knowne (having allowance of his due petitions) truly pay all such arrearses as he shall owe upon determination of his account, or upon his debt knowne, then it shall be lawfull to the Quene, her heires and successors, at any time after the said six months ended, to make sale by her or their Letters Patents, under the great Seale of England, of so much of the Lands, Tenements, and Hereditaments of every such Accountant or Debtor, as may suffice our said Sovereigne Lady or her heires, for the satisfaction of his debt or arrearses, untill her Heiress or he by such sale fully satisfied of such arrearses and debt to be found upon account or farme or. And if any overplus of money shall be recovered, or had, upon any such sale, then the same shall be delivered to the Accountant or Farmer, or his heires, by the Officer that shall receive the money, upon any of the said sales, without any other warrant in that behalf to be obtained. And all the sales to be made by the Quene, her heires, or successors or. shall be good and available in law against the partie accountant indebted, and his heires claiming as heires, and against the Quene, her heires and successors, notwithstanding any former charge or incumbrance to her Heiress or. by the person for whose debt the same shall be sold.

where the Quene may sell the accountants lands.

The Overplus.

The sale good against the Quene and accountant.

13. Eliz. 4.

Accomptants and Debtors to the King.

Accomptants
purchase
lands in others
names.

31 If any person Accomptant or indebted, as is aforesaid, shall at any time after he shall become accomptant or chargeable, as is aforesaid, purchase and buy, or cause to be purchased and bought, any lands, tenements, or hereditaments, and cause the assurance thereof to be made in the name of any other person or persons, where the same is indeed meant to the use, profit, or behoofe of such person accomptant or indebted, or of any other person, and the same maner of purchasing, and secret uses &c. shall be found by office or inquisition, then all and every lands, tenements, &c. so to be bought or purchased, or caused to be purchased, shall be taken and used for the satisfaction of the arcerages and debt of every such accomptant or debtor, to all intents, as though the person indebted upon his or their accompt or farme, were thereof actually seised of such estate as was conveyed to any person by any such accomptant or debtor, or by his meanes, as is aforesaid. And all sales to be thereof made by the Quene, her heires, or successors, for the satisfaction of such debt or arcerages, as shall be found to be due and owing to her, shall be of the like effect, and be used in such like maner, as is before (30) expressed. 13. Eliz. 4.

Lands purchased since
the beginning
of the Quens
raigne.

32 All lands, tenements, and hereditaments, which any accomptant before named hath heretofore (since the beginning of the Quenes raigne) purchased, or caused to be purchased, to the intent the same shall not be liable as is aforesaid (the couin being first found by office &c.) shall & may be seised by her Majesty, her heires or successors, and retained by her &c. in fee simple, to be sold, or otherwise used at her and their pleasures, towards the satisfaction of all arcerages already set or determined; or that hereafter shall be determined upon his accompt (all reasonable and due petitions being allowed) at such rate and value as the same were purchased, or caused to be purchased, by any Treasurer, Receiver, Seller, &c. or by any person, to their use. Doubtless; that if the lands so to be seised or sold by her Majesty, her heires or successors, as is last above mentioned, do surmount after the rate and value aforesaid, the debt and arcerages to be determined upon the accompt of any Treasurer, Receiver, or Accomptant before named, then her Majesty &c. shall seise only so much as shall amount after the rate and value aforesaid, to the full payment of such debts & arcerages, as hath bene or shall be determined or adjudged upon his accompt, as is aforesaid. 13. Eliz. 4.

No Bishop
lands charge-
able.

33 No Bishop having the collection of any Subsidie or Tenths or any his lands &c. whereof he is seised in the right of his Bishopricke, shall be charged by vertue of this Act for any arcerages of Tenths or Subsidie, otherwise then he might lawfully have bene before the making of this Act. 13. Eliz. 4.

Accomptants
not exceeding
CCC.

34 This Act shall not extend to charge any Treasurer, Receiver, or Accomptant aforesaid, having any purely receipt, nor any their lands &c. whose purely receipt, collection, and charge, or whose whole receipt from the beginning of his charge, is not, or hath not been or hereafter shall not be above the summe of CCC. l. in any other maner, then he might lawfully have bene charged before the making of this Act. 13. Eliz. 4.

Accomptants
which are not
to make prester
payment.

35 But because the Treasurer of the Chamber, and Cofferer of the household of the Quene, her heires & successors, Treasurers of warres, or Garrisons, Treasurers of the Navy, Treasurers, or Receivers of any summes of money for provision of victual, or for fortifications, or for building, and passage of the Warre, are by order of their offices & charges after their accompts ended, to disburse the debt remaining upon their accompts, in such charges as are necessarily to be provided in their offices & charges, so as they are not of such summes of money to make present payment as other accomptants are: therefore this Act shall not extend to give any authoritie to make sale of any lands &c. for any such debt to be iudged in any of their

their accomptants last mentioned, vnlesse the *M.* her heires, and successors, vpon the determining of their accompts (all their due petitions to them *yc.* being allowed) commaund present payment thereof, or otherwise effiones require a new accompt of the same debt so remaining in any *p* accompt mentioned in this branch, & that then the same debt, or any part thereof, shalbe found to be owing & vnrepended in the charges pertaining to any of their said offices, and the same debt remaining vnrepayed by the space of vi. Moneths, after such request or commaundement. 13. Eliz. 4.

36 This Act shall not extend to charge any Shirefe, Escheatoz, or Bailife of liberties, or the lands, tenements, or hereditaments of any of them, nor of any their heires or assigns, for any thing touching their office of Shirefe, Escheatoz, or Bailife, nor for any money by them receiued by reaso of any their said offices, in any other manner then they might lawfully haue been charged, before the making of this Act. 13. Eliz. 4.

Shirefe, Escheatoz, & Bailife of liberties

37 This Act, as touching only the sale of any lands or Tenements, shall not extend to any lands *yc.* which any persons now (viz. 2. Apr. 13. Eliz. Anno Dom. 1571.) haue or enioy, and haue purchase or obtained bona fide, and not being priuie or consenting to any such intent, to defraud the *Quene*, as is abouesaid. 13. Eliz. 4.

Lands purchased bona fide.

38 It shall be lawful to euerie person, whose lands *yc.* shall by any office or inquisition be found to be fraudulently conuerced as is abouesaid, to haue his lawfull trauctie to euerie such office *yc.* And if it be found with the patre *p* tendereth the trauctie, the he shal haue the said lands out of the *Princes* hands, without any petition, Liuerie, or Ousterle maine, or any other suit to be made or vsed: And the same being found so; such person so traucting, the same lands *yc.* shalbe adiudged as not liable, chargeable, nor to be sold by force of this statute. 13. Eliz. 4.

The partie grieved may haue his trauctie.

39 If the *Quene* *yc.* shall by any sale of lands by force of this statute, be fully satisfied of the debt or accerages of any such accomptant or debtoz, or any part thereof, then his sureties shalbe discharged of so much of the said debt, for sureture, & accerages, as so shalbe satisfied, & for the residue only shal be ratably (according to their abilities) charged. 13. Eliz. 4.

If the *Quene* let the debtors lands, the iures ties be discharged.

40 The statute of 13. Eliz. 4. to make the lands, tenements, goods, and cattels of *Sellers*, *Receiuers*, *yc.* to be liable to the payment of their debts, shall to all intents as largely extend to all such vnder Collectoys of Tenths & Subsidies of the Clergie & to their lands, tenements, hereditaments, goods & cattels, for satisfying of such money as they haue collected, or shall collect of the said Tenths and Subsidies, to the vse of the *M.* her heires or successors (of what yerely summe soeuer the charge of their collection is or shalbe) in like forme as it doth extend to *p* *Sellers*, *Receiuers*, & other persons accomptant, whom the said Act expressly concerneth, & in as ample wise, as if such vnder Collectoys were immediatly accomptant to the *M.* her heires or successors: any prouision in the said statute, or other matter whatsoever, to the contrarie notwithstanding. 14. Eliz. 7.

Vnder Collectoys of tenths & subsidies,

41 And euerie such vnder Collector shall vpon proceste to be awarded out of the Court of Exchequer, be chargeable to accompt for his receipt of such Tenths and Subsidies, as any Receiuer immediatly accomptant to the *M.* is, or ought to be: And euerie Archbishop, and Bishop, and Deane and Chapter (Sede vacante) to whose charge the collection of such Tenths or Subsidies doth or shall appertaine, shall be discharged of so much of the said Tenths and Subsidies, as shall be satisfied to the *Quene*, her heires or successors, of, or by the lands, tenements, hereditaments, goods, or cattels of such vnder Collector, or his heires, without any other warrant in whatsoever, in that behalfe to be obtained. 14. Eliz. 7.

Vnder Collectoys shall accompt in the Exchequer.

Accomptants and Debtors to the King.

Sale of the
accomptants
lands after
his death.

Accompt
made within
8. yerres after
the Accomp-
tants death.

Proces a-
gainst the ac-
comp. heire.

The sale good
to him which
is not consen-
ting to the
fraud.

To which ac-
comptants
this statute
shall extend.

Debt grow-
ing in the
Dutchie, or
court of
wards.

A ppiate seale.

42 The said Act made Añ 13. Eliz. 4. in euerie part thereof, touching the power giuen by that Act vnto the D. her heires & successors, to make sale of any the lands, tenements, or hereditaments by the said Act limited to be sold, is, shall, and ought to be expounded and intended, as well in case where the sale is to be made after the death of such Accomptant or Debtor, as where it is to be made in his or their life time: And also as well in case where the account is made, or the debt known with, in 8. yerres after the death of such accomptant or debtor, as where the same accopt is made or debt knowne in the life time of the said accomptant or debtor: any question &c. notwithstanding. 27. El. 3.

43 After the death of such Accomptant and Debtor, as is mentioned in the said recited Act, and before such time as any the lands &c. descended vnto the heire of such accomptant or debtor, as heire vnto the said accomptant or debtor, shall be sold as is aforesaid, a Scire facias shall be awarded out of the Exchequer vnto the Shireife of the Countie where any such lands do lie to garnish the same heire, to shew cause why the same lands, &c. so to him descended, as aforesaid, should not be put to sale, for satisfaction of the said debts or farmes in the same Act mentioned, according to the tenor of the said Act: And hereupon if the heire doe not within a conuenient time, vpon a garnishment, or two Nihils returned, shew and proue vnto the said Court, that the executors or administrators of such Accomptant or Debtor haue sufficient, which ought to answer, or be payable for the same debt or farme, and whereby the said debt or farm shall and may be duly & fully satisfied, When after ten moneths next after such two Nihils, or garnishment returned, the same lands, tenements, & hereditaments shall be sold by her Shireife, her heires, or successors, and the money thereof comming disposed according to the true meaning of the said former recited Act. 27. El. 3.

44 The said recited Act, & this Statute of explanation also, as touching only the sale of any lands, tenements, or hereditaments to be made after the death of such accomptant or debtor, as is aforesaid, shall not extend to any lands, tenements, or hereditaments, which any person or persons not being ppiue or consenting vnto any such intent, to defraud the D. her heires or successors, as in the said recited Act is mentioned, now haue or enjoy, & haue purchased or obtained, or before any Scire facias to be awarded, as aforesaid, shall haue or enjoy, purchase or obtain Bona fide, & vpon good consideration: any thing in this Act or in the former Act notwithstanding. &c. 27. El. 3.

45 This Act of Explanation shall extend only to such as haue been or shall be Tellers, Receiuers, Treasurers, Customers, Cofferers of the household, farmors of impost, Collectors, Bailifes, Victualers, & other officers of receipts & accompts vnto the D. her heires & successors, & to euerie of them, their heires, executors, and administrators, and to no other. 27. El. 3.

46 In such cases where any account shall or ought to be made, or any debt shall be owing in the Courts of the Dutchy of Lancaster, & wards & lieneries, or in any of them: When after the death of such accomptant or debtor, as is mentioned in the said former Act, in any of the said last mentioned Courts, & before such time as any of the lands &c. descended vnto the heire of such accomptant or debtor, as heire vnto the said accomptant or debtor, shall be sold as aforesaid, such Proces shall be awarded as hereafter is expressed, viz. first a ppiue seale commanding the same heire to make personall appearance in the Court, out of the which the same ppiue seale shall be awarded, to shew cause, as in the writ of Scire facias to be awarded out of the Exchequer is before appointed. And if the same heire shall make default at the day of the returne of the same ppiue seale, then vpon Affidauit made, that the same ppiue seale was duly serued, either vpon the person of the same heire, or left at the place of his or her dwelling, or most vsuall abode, an attachment with Proclamation shall be alway

awarded against the same heire, and shall be openly published and proclaimed in some market towne in the countie where the same heire was last dwelling, or made his or her usuall abode, upon some market day there, in the time of open market, twentie dayes at the least before the returne thereof: And if upon the returne thereof, the said heire shall estones make default, then all things shall be done and executed for the sale of the same lands, tenements, and hereditaments, and for the full satisfaction of the same debt or summe, in like, and as large maner, to all intents, as before in this Act is limited, in cases where default is made upon a garnishment or two Nihil returned upon a Scire facias awarded out of the said Court of Exchequer. 27. El. 3.

47 If the heire of such accomptant or debto; before mentioned, shall happen to be within the age of 21. yeres, when any such Processe shall fortune to be awarded, Then during the time of his or her nonage, this Act or any thing therein contained shall not in any wise be extended, executed, or put in use as touching onely the selling of the lands, tenements, or hereditaments of any such heire: Any thing in the said act &c. notwithstanding. And yet nevertheless, after such time as any such heire shall accomplish the full age of 21. yeres, all and singular the lands, tenements, and hereditaments descended unto the same heire from any such Debto; or Accomptant as aforesaid, shall at eight times during eight yeres then next ensuing be subject and liable to be sold, for the payment and satisfaction of her or his heires, or successors, according to the intent of this Act, in such maner and forme to all purposes, as if the same heire had bene of full age at the time of the death of such debto; or accomptant. 27. El. 3.

No sale during the heires minority.

The lands liable to sale 8. yeres after the heires full age.

48 This Act shall not extend to the sale of the lands &c. of any such heire or heires, for, or by reason of any accompt, debt, or summe, whereof any such debto; or accomptant haue, or shall haue a Quietus est, or discharge in his or their life time. 27. El. 3. 1. Jac. 25.

The Accomptant having a Quietus est.

49 If any disse or part of disse be graunted by the Clergie of the prouince of Canterbury, and Poike to the King, or to his heires, after the certificate thereof into the Exchequer, & of the names of the Collectors for the gathering of the same, if the same Collectors doe come by proces before the Barons of the Exchequer, and enter into their accompt, they shall not be bound to answer any bill or bills there exhibited against them by reason of the said entrie in their accompt, for any maner of cause but only for the matter touching the said accompt. But if the said accomptant be sued in any other Court, by writ, bill, or plaint, then he shall take no privilege of the said Exchequer by reason of the same accompt for any such suit. 1. R. 3.

Accomptants for disses not chargeable to other suites in the Exchequer.

14.

50 If he that is condemned and in execution at an other mans suit, will confesse himselfe debto; to the King, where he is no debto; of record, he shall be remanded to the first prison, and his credito; being satisfied, he shall be committed to the Fleet, untill he hath paid the King the summe confessed. 1. R. 2. 12.

Confession of debt to the King, to avoid others execution.

51 The King nor his Bailles shall seise any mans lands or rent for any debt, so long as the debtors presence, or cattel will suffice to pay the debt, & the debto; ready to satisfy it, nor any mans suerties shall be distrained, so long as the chiefe debto; is sufficient: and if the chiefe debto; doth faile of payment, not having, or not willing to pay, the suerties shall answer it, and if they will, they shall haue the debtors lands and rents, untill they be satisfied, except the debto; can shew himselfe to be acquitted against the said suerties. Magna Charta, An 9. Hen. 3. 8.

Suerties not charged, the principal being sufficient.

52 No great a distress shall not be taken for the Kings debt, nor driven to far, and if the debto; can find sufficient and convenient suertie unto the Sheriffe, unto a certaine day within which he can procure a remedie to agree for the thing in default, the distress shall be discharged in the meane time, and he that doth otherwise

The Sheriffe having proces to leue the Kings debts, must take the suertie.

Accompt.

The Shireffe
having leued
the Kings
debts, shal dis-
charge the
debtor.

Commissions
to enquire of
accountants.

What debts
only may be
assigned to the
King.

wise shall be grievously punished. 28. Ed. 1. 12. And all debts of the summons of the Exchequer, that the Shireffe or Bailife doe confesse receipt of, shalbe forthwith allowed, so that whether he received al the debt or part, it shal neuer come in demand or summons after the Shireffe hath confessed payment. Stat. de distric. Scac. 15. H. 3. And if the Shireffe at the next accompt after he hath received such debts, doe not acquite the debtor, he shall pay to the plaintife thysce so much as he received, and make fine at the K. pleasure. West. 1. 3. Ed. 1. 19.

53 Immediately after euery finall accompt, made and delivered befoze the Barons of the Kings Exchequer, by any Shireffes, Eschetors, Customers, Comp-trollers, & other officers accomptable, the tenor of the accompt of euerie of the same officers shalbe from time to time set into 5 Counties in the which the same accomptants be officers, together with commissions directed to the most credible, lawfull, and discrete persons, for to inquire and make certificate of the profits, which the said accomptants haue received in the foresaid counties, in their owne name to the Kings vse, and vpon their accounts, haue deceitfully concealed and retained the same, to their owne vse and profit. And in case any such Accomptants be attained of any such fraudes & deceipts, they shall forfeit to the King, treble of that whereof they shalbe conuicted, and their bodies shalbe imprisoned, vntill they haue made fine & ransom to the King, according to the discretion of his Judges. 6. Hen. 4. 3.

54 No debt shall at any tyme after the first day of Iulie, which shalbe in the yere of our Lord God 1610. be assigned to the K. Shireffe, his Heires, or successors, by or from any Debtor, or Accomptant, to his Shireffe, his heires, or successors, other then such debts as did befoze grow due originally to the Kings debtor, or accomptant, Bona fide: And that all graunts and assignments of debts to the Kings Shireffe, his heires, or successors, which from and after the said first day of Iulie shall be had or made contrarie to the true intent of this Act, shall be void and of no force: Any law, Custome, Prouisledge, or thing to the contrarie in any wise notwithstanding. 7. Iac. 1. 5.

Accompt.

Accountants
withdrawing
themselves.

Where Audi-
tors may com-
mit accom-
pant to prison.

If Bailifes which are bound to yeld accompt to their Lords, doe withdraw themselves, & haue no lands or tenements whereby they may be distrained, then their bodies shalbe attached, so that the Shireffes, in whose bailiwicks they shalbe found, shall cause them to appeare, to yeld their accompts. Marb. 5. 2. Hen. 3. 4.

2 If the Shireffe doe assigne Auditors to any Bailifes, Seruants, Chamberlaines, or other receivers, which are bound to yeld accompt, and it chauce them to be found in arrearages (all things being to them allowed) they shalbe arrested, and by the Testimonie of those Auditors committed to the next goale which the King hath in those partes, and shall be received of the Shireffe, or his Coaler, and in prison fettered in irons, and remaine in the same prison lining of their owne goods, vntill they haue fully satisfied their Shireffe of all the arrearages. But if any which is so committed to prison, will complaine that the Auditors haue vniufully charged him with receits which he hath not received, or by not allowing him reasonable expences, and will find friends which will undertake to bring him befoze the Barons of the Exchequer, he shalbe deliuered vnto them, and the Shireffe in whose custodie he is, shall warne his master that he doe appeare befoze the Barons of the Exchequer, at a certaine day, with the Kols and Allies whereby he yelded his accompt, and in the presence of the Barons, or the Auditors which they will assigne, the accompt shalbe recited and iustice shall be done to the parties, so that if he found in arrearages, he shall be committed to the flate, and if he lie, and will not willingly yeld his accompt, he shalbe distrained to come befoze the Iustices to accompt, if he hang

have wherby to be distrained: and when he cometh to the Court, Auditors shall be appointed unto him, before whom if he be found in arrearages, and will not forthwith pay the same, he shall be committed to the gaole, to be kept in forme aforesaid: and if he dye, and the Shirife doth testifie that he cannot be found, the Exigent shall be awarded against him untill he be outlawed: and he which is so committed to prison, is not repleviable. West. 2. An. 13. Ed. 1. 11.

1 An Action of debt is maintainable against a Shirife or Gaoler, which letteth an Accomptant escape, that is committed to his gard. See Escape 1.

2 Executors shall have an Action of Accompt. See Executors 1.

3 For the accompt of those which shall receive any money for the mending of highwaies, See Highwaies 10. 11.

4 For the accompt of Collectors and Surueiors for the mending of Bridges, See Bridges 4.

5 For the accompt of the Surueiors of the poore, See Poore 2.

6 In debt vpon the arrearages of accompt the defendant may wage his law, or plead to an Inquest. See Wager 3.

Accusation.

ND freeman shall be taken or imprisoned, or disseised of his freehold, liberties, or free customs, nor shall be outlawed, banished, or by any means brought to destruction: neither shall any passe, or sit in iudgement upon him, but by the lawful iudgement of his equals, or by the law of the Realme: Neither shall Justice or right be sold, denied, or deferred to any man. Magna Charta 9. Hen. 3. 29. 5. Ed. 3. 9. And if any man be taken or put to answer without an indictment or presentment before Justices, or some matter of record, or by due proces, or by writ original, according to the old law of the land, the same is void and erroneous. 25. Edw. 3. 4. 28. Ed. 3. 3. 42. Ed. 3. 2. See Suggestion.

No man shall be condemned without lawful trial.

Additions.

In every original writ of actions personals, appeales, and indictments, where an Exigent shall be awarded, the names of the defendants shall be put, with additions of their estate, or degree, or misterie, and the towne or hamlets, or places, and the counties of the which, and in the which they were or be conuersant. And if by processe vpon the said original writs, appeales, or indictments, in which the said additions be omitted, any outlawries be pronounced, they shall be void, and before the outlawries pronounced, the said writs and indictments shall be abated by exception of the partie, whereas in the same the said additions be omitted. But though the same writs of Actions personals doe not agree with the records and verdes in surplage of the foresaid additions, yet so that cause they shall not abate. And the Clerkes of the Chancerie (vnder whose names such writs shall be written) shall not omit the said additions, vpon pain to be punished, and to make fine to the King at the Chancellores discretion. 1. Hen. 5. 5.

Additions where an exigent shall be awarded.

1 An offendour in a writ of Excommunicato capiendo shall have a sufficient addition. See Excommunication 8.

Adiournement.

Whereas by removing of the common Bench, the pleas have oftentimes abiden without day, to the great hurt and perill of disherison of ouiers: It is enacted, that from henceforth, the Justices before the common Bench be removed,

Admeasurement &c. Administrators.

ued, shall be warned by a time, so that they may adjourn the parties by such time, that they shall not lose their proces. 2. Ed. 3. 11.

1 Fines shall be effectually, though Proclamations be not made by reason of adjournment of any Terme. S. Fines 11.

Admeasurement of dower, and pasture.

**Admeasurement
of Dower.**

**Dies given
in the writ of
admeasurement.**

**Admeasure-
ment of pa-
sture.**

**Secūda Super-
oneratio pa-
sturæ.**

The Cardein shall have a writ of Admeasurement of dower: But yet by the Cardeines suite, (if he will sue saintly & by collusion against the woman which is tenant in dower) the heire shall not be forced when he cometh to full age, to admeasure the dower, as it is to be admeasured by the law of this Realme. And as well in the writ of Admeasurement of dower, as in Admeasurement of pasture, when the writ is come to the graund distresse, dales shall be given, within the which there may be holden two Counties, at the which open proclamation shall be made, that the defendant shall appears at the day contained in the writ, to answer the plaintife, at which day if he doe appeare, the writ shall proceed betwixt them, and if he doe not appeare, and the proclamation be in forme aforesaid testified by the Shyrie, admeasurement shall be made by the default. Westm 2. 13. Ed. 1. 7.

2 If by a suit moved upon a writ of admeasurement of pasture, the pasture was once admeasured, and that it chance after such admeasurement the pasture be overcharged againe by him that first did overcharge, with more beastes then he ought to keepe, if the admeasurement were before the Iustices, the plaintife shall have a Iudiciall writ, that the Shyrie in the presence of the parties being summoned (if they will appeare) shall inquire of the second surcharge, which if it be found, shall be returned before the Iustices under the seales of the Shyrie and the Iuroys: and the Iustices shall award the plaintife damages, and shall put in the estreats the value of the beastes, which he that overcharged after the admeasurement, put into the pasture more then he ought, and shall deliver the estreats to the Barons of the Exchequer to answer the King. If the admeasurement were made in the countie, then at the request of the plaintife, a writ shall be awarded out of the Chancery, that the Shyrie shall enquire of such overcharge, and of the cattell put in the pasture above the due number, and shall answer the King the value of them in the Exchequer. And lest the Shyrie should deceive the King in this case, all such writs de secūda superoneratione, which be awarded out of the Chancery, shall be enrolled, and in the end of the yere, the transcript thereof shall be sent into the Exchequer under the Chancelloys seale, that the Treasurer, & Barons of the Exchequer may see how the Shyrie hath answered the profit of such writs. And in like sort shall the writs of Redisseisin be enrolled & sent into the Exchequer in the end of the yere. Westm 2. 13. Ed. 1. 8.

Administrators.

Where a man dieth intestate, the Ordinarie shall depute the next and most lawful freinds of him which died intestate, to administer his goods, which deputies shall have an action in the Kings Court to demand and recover as Executors, the debts due to him which is dead, and shall answer others in the Kings Court, to whom the dead person was indebted and bound, in the same manner as Executors shall, and also shall be accountable to the Ordinarie, as Executors shall in case where a testament is made. 31. Ed. 3. 11. S Ordinaries 1.

2 For as much as it is often put in use, to the defrauding of creditoys, that such persons as are to have the administration of the goods of others dying intestate committed unto them, if they require it, will not accept the same, but suffer, as pro-

core

cure the administration to be granted to some stranger of meane estate, & not of kin to the intestate, from whom themselves, or others by their meanes, doe take dower of gifts, and authorities by Letter of Attourney, whereby they obtaine the state of the intestate into their hands, & yet stand not subiect to pay any debts owing by the same intestate, and so the creditors for lacke of knowledge of the place of habitation of the administrator cannot arrest him, nor sue him: and if they fortune to find him out, yet for lacke of abilitie in him to satisfie of his owne goods, the value of that he hath conveyed away of the Intestates goods or release of his debts, by way of waiving, the creditors cannot have or recover their iust & due debts. Be it enacted, that every person & persons, that hereafter shall obtaine, receive, or have any goods, or debts of any person dying intestate, or a releas, or other discharge of any debt or duty that belonged to the intestate, upon any fraud, as is aforesaid, or without such valuable consideration as shall amount to the value of the same goods and debts, or nere thereabouts, (except it be in or towards satisfaction of some iust and principall debt of the value of the same goods or debts to him owing by the intestate at the time of his decease,) shall be charged, and chargeable as Executor of his owne wrong, and so farre only as all such goods and debts comming to his hands, or whereof he is released or discharged by such Administrator will satisfie, deducting nevertheless to and for himselfe allowance of all iust, due, & principall debt upon good consideration without fraud, owing to him by the intestate at the time of his decease, & of all other payment made by him, which lawfull executors or administrators may and ought to have & pay by the lawes and statutes of this Realme. 4.3. El. 8.

fraudulent
Administration
of intestate
goods

1 To whom the ordinarie shall commit the administration of the goods of an intestate, and what he shall take for the same. S. Probat of Testament 5.6.

2 How farre the Ordinarie having goods of an intestate shal be charged. S. Ordinarie 1.

Admirall and Admiraltie.

The admirall & his deputie shall meddle with nothing done within the Realme, but only with things done upon the Sea. 1.3. Rich. 2. 5. And he that is grieved against this statute shal have an action upon the case against him which pursueth in the Court of the Admiraltie, and shall recover against him double dammages, & the pursuer being attainted shall forfeit to the King 1. l. 2. Hen. 4. 1. 1.

with what
thing the Ad-
mirall shall
meddle.

2 The admirals court hath no manner of cognisance, power, or iurisdiction of any contracts, ples, quarrels, or other things made or rising within the bodie of the Shires, by land, water, or wrecks of Sea, but all such contracts, &c. and other things shalbe tried, determined, discussed, & remedied by the lawes of this Realme, and not before the Admirall nor his deputie. But the Admirall hath cognizance of the death or maihem of a man, committed in any great ship, floting upon the high stream of great rivers, only beneath the points of the same rivers next the sea. And also to arrest ships in the great streams for the great voyages of the R. & the Realme: saving to the King all forfeitures & profits thereof comming. And also he hath iurisdiction in the said streames during the said voyages only: saving to all Lords, Boroughs, and Cities, their liberties and franchises. 1.5. Rich. 2. 3.

where the
Admirals in-
iurisdiction doth
lie.

3 By the statute 2. Hen. 5. 6. like power as the Admirall hath, is given to him which shalbe assigned by the king in any Port to be conservator of the truce, except for the determination of the death of a man which is committed upon the maine Sea, and the execution of the same, which is alwaies referred to the Admirall or his generall Lieutenant. S. Piracie.

Conservato-
of the truce.

1 For the authorities delegates in marine causes. S. Appeals 8.

Ad quod damnum. Age. Aide to make &c.

Ad quod damnum.

In Ad quod
dantnum upon
any libertie
purchased.

They which will purchase a new Parke; Religious people that will amoztise lands or tenements, must have a writ out of the Chaucery, to inquire upon the points accustomed in such cases, & the Enquests must be returned into the Exchequer, and there they shall make fine for the amoztiseinent, or for the Park, if the enquest doe find for him that purchased the writ: and from thence it shalbe sent to the Chancelloz. And the same maner is to be observed of those which will purchase lands or tenements holden of the King in chiefe. And in like sort it shall be done with them which will purchase a faire, a Market, a Warreine, or other libertie. *Ordinatio de Libertatibus perquirendis, Añ 27.E.1.*

1 That lands may be given to the maintenance of houses of correction, or of poore mens flockes, without an Ad quod damnum. *S. Mortmaine 10.*

Age.

Nonage shal
not helpe the
disseizor or
his heire.

If any man do purchase an Assise, and the principall disseizor dyeth before the Assise doth passe, the plaintife shall have a writ of Entry upon disseizin against the heire of the disseizor of what age soever he be. And in the same maner the heire of the disseizee shall have his writ of Entry against the disseizors or their heires of what age soever they be, if the disseizee die before he that purchased his writ, so that the writ shal not be abated, nor the plea delayed by the nonage of the heires of the one partie nor of the other, but in that a man may without offending the law, fresh suit shalbe made in hast after the disseizin. And this point shalbe observed in the right of Wrelats and others, to whom lands cannot by any meanes come after the death of others, whether they be disseizers or disseizors. And if the parties in pleading descend to an Enquest, and that doe passe against the heire within age, and namely against the heire of the disseizee, he shall in that case have an Attaint by the Kings speciall favour without giving any thing therfore. *West. 1.3.E.1.46.*

Wrelats.

Attaint.

Nonage shall
not stay an
Enquest.

2 If an Infant be kept from his inheritance, after the death of his father, grandfather, or great grandfather, whereby he is enforced to have a writ, and his adversary doth appeare in Court, & in pleading alledge a feoffment, or sheweth some other thing, whereby the Iustices doe award an Enquest, there whereas an Enquest was deferred vnto the full age of the Infant, now the Enquest shall passe as though he were of full age. *Gloucet. 6.E.1.2.*

Suit by pro-
cheinie any.

3 In every case where such as be within age may sue, if they be esloigned, so that they cannot personally sue, the next friends shall be admitted to sue for them. *West. 2.13.E.1.15. West. 1.3.Ed.1.47.*

1 A womans suit shall not be deferred by the minoritie of her husbands heire. *S. Women 15.*

2 An Apprentise bound within age, shall serue as if he were of full age. *S. Labourers 23.*

Ayde to make the sonne Knight, and to marie the daughtes.

There shall be taken of a whole knights fee for reasonable ayde to make the sonne knight, or to marie the daughter, but xx.s. and of xx. pound land holden in socage xx.s. and of more, more, and of lesse, lesse, after the rate. And none shall leuie such ayde to make his sonne knight, vntill his sonne be x. yeres of age, nor to marie his daughter vntill she be of the age of vi. yeres, and thereof mention shalbe made in the Kings writ sealed thereupon, when any man will demand it. And if the father chance to die, when he hath leuied such ayde of his tenants, before he

he hath married his daughter, the fathers executors are bound to satisfie the daughter off so much as the father received for this aid. And if the fathers goods be not sufficient, his heirs shall satisfie the daughter. West. 1. 3. Edw. 1. 3. And the same law is in the Kings case to make his eldest sonne knight, or to marry his eldest daughter. 2. J. Ed. 3. 111.

The Kings son or daughter.

Ayde of the King.

If the King make a feoffment, and the deed thereof containeth so much, that another person by like deed or feoffment should be bound to warrantie, the Justices shall proceed no further, except they have commaundment from the King. But where the King hath confirmed or ratified another mans deed, of that thing which was another mans, or hath granted any thing to another, as much as in him is, or where a deed is shewed sixth, that the King hath given any tenement, in which deed there is no clause of warrantie, and in such like cases, it shal not be surceased by occasion of such confirmation, ratification, grant, or render, or other like: But after the same is shewed to the King, they shall proceed without delay. Stat. de Bigamis 4. Edw. 1. & 2. S. Assise 5.

Where aid shall be granted of the King, or where not.

2 Concerning the Dowers of women, where any Cardeins of the inheritance of their husbands have the wardships of the gift or grant of the King, whether the Cardeins doe hold the thing in demand, or doe call the heirs of the said tenements to warrantie, if they doe except, that they cannot answer without the King, it shal not therefore be surceased, but the suit shal in due manner proceed. Stat. de Bigamis 4. Ed. 1. 3.

In Dower the Kings patentees of a ward, shal not have aide.

3 A man shall have but foure writs of Search for the King, whereof every writ shall be deliuered foytie dayes before the returne of the same. And then they which sue for the King, shall be put to answer and to defend the Lands and tenements demanded against the King, as well as they can, whether any monument or remembrance be found for the King, or not, though the suit be in the Parliament, Chancery, Kings Bench, or Common place. And by commaundment under the great or priue Seale, no point of this statute shalbe delayed. 1. 4. Ed. 3. 14.

Foure writs of Search.

1 Vpon a Trauerse two writs of Search shall be granted. S. Trauerse 5.

2 In Assise brought against the Kinges Patentee he shall not have Ayde. Assise 5.

Alehouse.

The Justices of peace within every Shire, City, Borough, Towne Corporate, Franchise, or Liberty, within this Realme, or two of them at the least (where of one to be of the Quorum) shal haue full authority within every Shire, City, Borough, &c. where they be Justices of peace, to remove, discharge, and put away common selling of Ale and Beere, in common Alehouses, and Tipling houses, in such townes or townes, and places, where they shall thinke meet and convenient. 5. & 6. Ed. 6. 25. 11. H. 7. 2. S. Justices of P. 71.

Justices of peace may discharge Alehouses.

2 None shalbe admitted or suffered to keepe any common Alehouse, or Tipling house, but such as shalbe thereunto admitted & allowed in the open Sessions of the peace, or else by two Justices of the peace, whereof one to be of the Quorum. And the said Justices of the peace, or two of them (whereof one to be of the Quorum) shall take bond & suretie, from time to time by recognizance of such as shalbe admitted & allowed to keepe any common Alehouse, or tipling house, as well for and against the using of unlawfull games, as also for the using & maintenance of good order & rule, to be had & used within the same, as by their discretion shalbe thought necessary and

Providence of Alehouses.

Alehouse.

convenient: for making of every which recognizance, & party or parties that shalbe so bound shall pay but xij. s. And the said Just. shall certifie the same recognizance at the next quarter Sessions of the peace to be holden within the same shire, Citie, borough, town corporate, franchise or liberty, where such Alehouse, or tipling house shalbe: The same recognizance there to remaine of record before the Just. of P. of the same shire, Citie, Borough, &c. upon pain of forfeiture to the R. for everie such recognizance taken and not certified in. l. vi. s. viij. d. s. & 6. E. 6. 25.

Inquite of
those which
have forfeited
their recog-
nizances.

3 The Just. of P. of every shire, Citie, Borough, &c. where such recognizances shalbe taken, shal have authority in their Quarter sessions of the peace, by presentment, information, or otherwise, by their discretion, to inquire of all such persons as shalbe admitted and allowed to keepe any such Alehouse or tipling house, & that be bound by Recognizance, as is aforesaid, if they or any of them have done any Act or acts, whereby they or any of them have forfeited the same recognizance. And the said Justices of every shire, & places where they be Justices, shal upon every such presentment, or information, award processe against everie such person so presented, or complained upon before them, and shal have full power to heare and determine the same, by all such wayes and meanes, as by their discretion shalbe thought good. s. & 6. E. 6. 25.

The penaltie
for keeping an
Alehouse with-
out licence.

4 If any person or persons, other then such as shalbe admitted & allowed by the said Just. of P. shal obstinately & upon his owne authority, take upon him or them to keepe a common Alehouse, or tipling house, or shal contrarie to the commandement of the said Just. or two of them, use commonly selling of Ale or Beere, then the said Just. of peace, or two of them (whereof one to be of the Quor) shal for every such offence, commit everie such person or persons so offending, to the common gaole within the same shire, Citie, Borough, Towne corporate, franchise, or liberty, there to remaine without baile or mainprie, by the space of thre dayes. And before his or their delivery the said Justices shal take recognizance of him or them so committed, with two sureties, that he or they shal not keepe any common Alehouse, Tipling house, or use commonly selling of Ale or Beere, as by the discretion of the same Justices shal seeme convenient. And the said Just. shal make Certificate of every such recognizance, and offence, at the next quarter Sessions that shal be holden within the same shire, Citie, borough, &c. where the same shalbe committed or done: which Certificate shalbe a sufficient conviction in the law of the same offence. And the said J. P. upon the said Certificate made, shal in open Sessions assesse the fine for every such offence xx. s. s. & 6. E. 6. 25.

Alehouses
kept in faire.

5 Provided always, that in such towne & places where any faire or fairs shalbe kept, that for the time only of the same faire or fairs, it shalbe lawfull for everie person and persons, to use commonly selling of Ale or Beere, in booths, or other places there, for the relief of the Kings subjects, that shall repaire to the same, in such like manner and sort, as hath bin used and done in times past: This Act &c. notwithstanding. s. & 6. E. 6. 25.

In Alehouse
keeper permit-
ting any to
continue dyin-
king in his
house.

6 If any Innkeeper, Victualler, or Alehousekeeper, within this realm of England, or dominion of Wales, do permit or suffer any person or persons inhabiting & dwelling in any citie, towne Corporate, market towne, Village or Hamlet, within this Realm of England, or dominion of Wales, where any such alehouse or tipling house is, or shalbe, to remaine & continue drinking or tipling in the said Inn, victualling house, tipling house, or Alehouse, (other then such as shall be invited by any traveller, and shall accompany him only during his necessarie abode there, and other then laboring & handicrafts men in cities & towne corporate, & market towne, upon the usual working daies for one houre at dinner time to take their diet in an Alehouse, and other then laborers and workemen, which for the following of their worke by the day, or by the great, in any Citie, towne corporate, market towne, or village

billage, shall for the time of their continuing in worke there, soiozne, lodge, or dwell in any Inne, Alehouse, or other victualing house, other then for wigent & necessary occasions to be allowed by two J. of P. then every such Innekeeper, &c. shall for every such offence forfeit x. s. of current money of England, to the use of the poore of the parish where such offence shall be committed: The same offence being viewed & scieu by any Spaoz, Bailife, or J. of P. within their severall limits, or pproved by the oth of y. witnesses, to be taken before any Spaoz, bailife, or any other head officer, or any one or more Just. or Just. of the P. who by vertue of this Act shall have authoritie to minister the said oth to any person or persons, that can or will iustifie the same, being within the limits of their sayd Commission. i. Lac. 9.

7 If any Innekeeper, &c. shall at any time utter or sell lesse then one full alequart of the best beere or ale for a penny, & of half small two quarts for one penny, then every such Innekeeper &c. shall forfeit for every such offence, being duly pproved in manner above limited x. s. to the use above said. All & every the said penalties to be levied by the Constables or Churchwardens of the parish or parishes where the offence or offences shall be committed, by way of distresse to be taken & detained for the said forfeitures, & for default of satisfaction within vij. daies next ensuing, the same then to be presently appraised & sold, and the surplusage & overplus over & above to be delivered to the partie or parties offending, to be by the Spaoz, Bailife, &c. committed to the common Gaole, there to remaine untill the said penaltie or penalties be truly payed. i. Lac. 9.

8 If the Constables or Churchwardens do neglect their dutie in leuying, or do not leuie the said severall penalties, or in default of distresse or distresses from time to time doe neglect to certifye the same default of distresse, by the space of xx. dayes then next ensuing, to the Spaoz, Bailife, &c. within whose iurisdiction the offence is committed: When every person and persons so offending, shall forfeit for every such default x. s. to the use of the poore of the parish where such offence shall be committed, to be leuied by way of distresse of the offenders goods, by warrant from any one or more Justice or Just. of the Peace, Spaoz, Bailife, &c. within the limits of their iurdictions respectively, under his or their hand and seale, to be taken and detained for the said forfeitures, for the space of five dayes then next ensuing: within which time, if payment be not made, the said goods to be presently appraised and sold, and the surplusage & remainder over and above (if any be) to be delivered to the partie of whom the distresse was taken, & for want of such sufficient distresse, the Constables, &c. so offending, to be by the Spaoz, Bailife, &c. committed to the common Gaole, there to remaine untill the said penaltie or penalties be truly payed: For all which penalties that so shall be leuied by the sayd Constables, or Churchwardens, they the sayd Constables, &c. shall be accountable to their successors, and other the Parishioners, in such sort as they usually be in other Church reckonings, or accompts. And for all forfeitures to be levied by reason of any neglect of the Constables, or Churchwardens, those shall be accountable, who by force of any warrant or precept doe leuie the same, or upon the enlargement of persons committed, doe receive the same. All other Lawes and Statutes touching Innekeepers, Victualers, and Alehouse keepers, shall remaine in their force, and be put in execution. i. Lac. 9.

9 The correction & punishment of such as shall offend against this Act, or any part thereof, within either of the Universities of this Realme, or the precincts or liberties of the same, shall be done, upon the offenders, & iustice shall be ministered in this behalf, according to the true meaning of this Law, by the Governours, Magistrates, Just. of the Peace, or other principall officers of either of the same Universities, to whom in other cases the administration of iustice, and punishment of offend-

The piers of
a quart of ale
and beere.

The penalties.

The Constables or
Churchwardens omitting
their duty.

Constables &
Churchwardens
accounts

Offences committed within
the Universities.

Alehouse.

offenders by the Lawes of this Realm, & their severall Charters doth belong, & no other within their liberties for any matter concerning this Law, contrary to their severall Charters, shall intermeddle. And all penalties and summes of money, to be forfeited by force of this Act, within either of the Universities, or the Liberties of the same, shall be levied by the Officers or Ministers of either of the said Universities, to be from time to time in that behalfe appointed by the Vicechancellor thereof for the time being, respectively. And all powers & authorities either of imprisonment, or otherwise before given or appointed by this Act, shall by the Governors, Magistrates, & principall Officers abovesaid of either of the said Universities, be duly executed and done within either of the said Universities, & the liberties and precincts of the same, according to the true meaning of the same. 1. Jac. 9. To continue to the end of the first Session of the next Parliament.

None shall sell
Wine or Ale
to an Alehouse
keeper, not ha-
ving a licence

10 No person or persons by himselfe, or by any other waies or meanes, directly or indirectly, shall sell, utter, or deliver, or cause to be sold, uttered, or delivered, any Wine or Ale, to any person or persons, or into the House or Celler of any person or persons, that then shall sell, or utter Wine or Ale as a common Retailer, or Alehouse keeper, the same person not having any Licence then in force to sell Ale or Wine, other then for the convenient use, & expence of his, her, or their household only, upon paine to forfeit for everie Barrell sold, uttered, or delivered contrary to the forme and true meaning of this Act, vi. s. viij. d. and so after that rate for a greater or lesser quantitie. 4. Jac. 4.

where the of-
fence shall be
enquired of &
determined,

11 All offences to be done, or committed, contrarie to the true meaning of this Act, and all penalties abovesaid shall be enquired of, tried for, heard, & determined in the Sessions of the Peace for the Countie, Citie, or Borough, Towne or Libertie, or in the Court of record of the Citie, borough, towne, or libertie, wherein such offence shall be committed, by Action of debt, Information, Indictment, or presentment, wherein no Essoine, Protection, or wager of law shall be allowed to the Defendant: And the one halfe of all which forfeitures shall be to the use of the Poore people inhabiting within the Citie, borough, Hundred, towne, or libertie, where such offence shall be committed from time to time, and the other halfe thereof to him or them, that will sue for the same. 4. Jac. 4.

who shall have
the forfeitures

The Poore
Portie of the
forfeitures de-
livered to the
Overseers,

12 And to the end that the said one halfe of the said forfeitures above limited to be to the use of the said Poore people, may be truly employed and bestowed upon them, according to the true meaning of this Act: Be it further enacted, that the Schirife, Bailife, or other officer or person that shall leveie or receive any summe or summes of money forfeited, and recovered according to the true meaning of this Act, shall and may by vertue of this Act, without further warrant, deliver the one halfe of the same summe and summes of money, by him or them so levied or received, to some one, or more of the Churchwardens and Overseers of the Poore of the same Parish where the same offence shall be committed, to be by them and every of them distributed and bestowed amongst the said poore people, according to the true meaning of this Act, who shall likewise have authoritie by vertue of this Act to distribute and bestow the same accordingly. And everie Schirife, Bailife, and other Officer and person which shall leveie or receive any such forfeiture or forfeitures abovesaid, and shall pay over the moiety and one halfe thereof, according to the true meaning of this Act, shall be thereof discharged against the Kings Maie-
tie, his heires and successors. 4. Jac. 4.

The officer
paying to the
Overseers the
moiety, shall be
discharged.

The forfei-
ture for not
distributing
the money to
the Poore.

13 If any Schirife, Bailife, or other Officer or person shall refuse to pay over the Portie & one halfe of the said money by him or them levied or received, or that the said Churchwardens & Overseers, to whom the said money shall be so paid, shall not from time to time within convenient time truly distribute & bestow the same, to and amongst the Poore people, according to the true meaning of this Act, then everie

euerie person so offending, shall forfeit double the value thereof, to be recovered and employed as aforesaid. 4. Lac. 4.

14 If any person being an Alehousekeeper, (after six weekes next ensuing this Session of Parliament) shall lawfully convicted for any offence or offences committed against any of the Branches of two former Acts of Parliament made at the beginning of this present Parliament, the one intituled An act to reſtraine, the inordinate haunting and tippling in Innes, Alehouses and other victualing houses, the other intituled An act against the odious and lothſome ſinne of drunkenneſſe, Then euerie person or persons so convicted shall for the space of thre yeares next ensuing the said conviction be utterly disabled to keepe any ſuch Alehouse. 7. Ia. 10. 1. Lac. 9. 4. lac 5.

The penaltie for offences against the Statutes of 1. & 4. Jacobi.

Aliens, Strangers, and Denizens.

N person not borne vnder the Kings obedience, or made Denizen, being artificer or handicrafts man, nor none other for him, or to his use, shall make any Cloth, or put any wooll to work, to make any Cloth in this Realme, upon paine to forfeit the same Cloth: nor shall sell any wares within this Realme, but onely in groſſe, and not by retails, and in the Port, Towne, or place, where the same Artificer shall be dwelling, & in none other place, upon paine to forfeit the same wares to the King, and him that will ſeiſe, or ſue for the same by A. J. &c. wherein no W. &c. C. 1. R. 1. 9. S. Merchants 1.

Aliens shall make no cloth.

Aliens shall sell no wares but in groſſe.

2 Euerie Alien made Denizen, shall pay to the King and his heires, & to euerie other person, and to all Officers of Cities, Boroughs, and Towns, all such Subsidies, Customs, Tolls, Duties, and other ſummes of money for their wares, Merchandises, and goods, as they should haue paid before they were Denizens: any graunt made, or to be made, or any Statute &c. notwithstanding. But all Officers of Cities, Boroughs, and Towns, wherein any such duties &c. shall be demanded, shall set by in open place of ſuch Citie, Borough, or Towne, a Table or Table, by which the certaintie & dutie of ſuch Custom, Tolle, &c. may appeare, to the intent nothing may be exacted, otherwiſe then hath bene accustomed. This Act shall not be prejudiciall to the Merchants of the Stileyard in London, but they shall enjoy ſuch priuiledges &c. as they had before the making thereof. 2. H. 8. 8. S. Corporation 6.

Denizens shall pay such duties as they did before.

Merchants of the Stileyard.

3 All Aliens borne being Denizens, or not Denizens, vſing any manner of handicraft, inhabiting within London, or the Suburbs thereof, within Westminster, the Parish of Saint Martins in the field, the Parish of our Lady of the Stronde, Saint Clements of Danes, Saint Giles in the field, Saint Andrewes in Holborne, the Town & Borough of Southwarke, Southditch, White Chappel Parish, Saint Johns ſtreete, the Parish of Clerkenwell, Saint Botolphs parish without Aldgate, Saint Katherineines, Warrmondſley ſtreete, or within two Miles compaſſe of the ſaid Citie of London, or the Parishes aforesaid, shall be vnder the ſearch & reſormation of the Wardens and fellowſhip of the Handycrafts, which they do occupy within the ſaid City, with one ſubſtantiall ſtraunger, being an houſholder of the ſame Craft by the ſame Wardens to be choſen. And thoſe Wardens and ſtraunger shall appoint to euerie Alien being a Blacke Smith, Cooper, Pouchmaker, or Joyner, (taking nothing thereof) a Marke, which he shall put vpon his work, ware, or beſſel. And if any ſtraunger vſing the myſtery of Smiths, Joyners, or Copers, shall make any wares or beſſels concerning the ſame myſteries, and do not put ſuch marke to euery of them, before they be put to ſale, or vſe, without taking any thing thereof, he shall forfeit the double value of the ſame wares & beſſels to the K. & J. to be recovered by A. J. &c. wherein no W. &c. C. 1. R. 1. 9. S. Merchants 1.

Aliens in London, or two miles compaſſe.

Euerie alien shall haue a marke to ſet vpon his wozke.

Aliens, Strangers, & Denizens.

et. But if the said Wardens et. refuseth make the waies of any Straunger requesting the same, then the Straunger may put to sale his said waies. 14. H. 8. 2.

wardens shall
search all Ali-
ens wares.

4 The Wardens of every such myserie, calling to them one Straunger of the same myserie, being a householder, haue power to search, view, & reforme in London, and other places aforesaid, all waies of workmanship made by Handycraft men being aliens. And if upon such search, they shal find & adiudge any vessels, or waie, in the possession of the workers or owners, falsly & deceitfully made, to the hurt of the kings people, then the same worker or owner, in whose possession the same falsse and deceitfull waies shal be found, shal forfeit the same to the King, and the first finder thereof, to be recovered in any of the Kings Courts, by action of Detinue, wherein no W.C. or P. et. 14. H. 8. 2. And if any Straunger artificer that is an householder, being required by the Wardens, gouernors, or their deputies, do refuse to go with the said Wardens to make search in soyme aforesaid, & that be proued before the Chancellor of Eng. the Mayor of London, or the chiefe officer of the Cite, borough, town, where et. he shall vse such occupation no more within England. 21. H. 8. 16.

A Straunger
Refuses re-
fusing to make
search.

wardens, bai-
lives, gouer-
nors, may
search Aliens

5 Wardens and Pastors of Fellowships of all handycrafts within any City, Borough, or Towne Corporat where Wardens be, and the Baylives or Conseruators of towns et. where no Wardens be, haue authoritie with the Bailife or Bailives of the libertie, where any Libertie is, (being content so to do) to view, search, and reforme Strangers, inhabiting and vsing within any such Cite, Towne, et. any Handycraft, in as ample manner as the Wardens and Fellowship of London may doe by this Act. And all Strangers using any of the said handycrafts, in any of the said Cities, Boroughes, et. be bound to doe and obey in every thing accord- ing to the tenor of this Act, upon the paines and forfeitures, and to be recovered as is aboue remembred. But this act doth not extend to the Inhabitant Strangers in the Universities of Oxfoꝛd, or Cambridge, or within the Sanctuary of great S. Martins within London. 14. H. 8. 2.

Aliens in
Oxfoꝛd, Cam-
bridge, & great
S. Martins.

The remedie
if Aliens be
intreated
willingly.

6 If the Wardens of any Fellowship et. Bailives, Gouernors, et. will lawfully intreat any Straunger in executing any thing contained in this Act, then the Straunger grieved, may by bill or information complaine to the Lord Chancellor, and Treasurer of England, or to the Iustices of the Assise in the County, which by their examinations haue authoritie to heare and determine the same complaint, and to award to the complainant such amends, as by them shalbe thought reason- able. 14. H. 8. 2.

Aliens shalbe
contributorie
to subsidies &
taxes.

7 All Strangers artificers made Denizens, that will inhabit within London, the Suburbes or Parishes aforesaid, or within two miles compass of the same, & keepe houses and occupie their craft, shal be contributorie to and with the Kings subiects artificers within London, paying and bearing the charge following: (that is to say) every Straunger Cordwainer, being an householder, which worketh old stuffe or new, shal quarterly pay to the Pastor, Wardens, & Comminaltie of the said Craft of Cordwainers within the said City by. 8. And every seruant Straunger not being Denizen, shal pay quarterly by. 8. And all other Strangers, Artificers, and Denizens of every handycraft, inhabiting within London, or any other Cite or Towne within this Realme, shal pay, beare, and sustaine all like charges as the Kings subiects of like myserie, boyme out of his obedience, inhabiting within the same Cite, Towne, et. do beare. And all Strangers artificers and Denizens, exercising the said craft of Cordwainers, dwelling out of London, in any other Cite, or Towne, shal pay, beare, and sustaine, scot, taxes, tallages, subsidies, piers, and all other reasonable exactions, as the Pastors, Wardens, and companies of the said Crafts for the time being, be bound to pay, when any subsidy, tax, tallage, or pier, or other reasonable charges shalbe assessed by the Mayor & Aldermen or common Councell of the said Cities, Townes, et. of, or for any charge or payment of money

money to be payd vnto the King, or for any cause concerning the Commonwealt of the said Cities, Townes, or Artificers, &c. And whosoever denieth to pay as contributoie with the said Companies, shall not any longer occupie any Handicraft, vpon paine to forfeit x.l. to the King and I. to be recovered by A. I. &c. wherein no W. C. or P. &c. 21. H. 8. 16.

Quere, whether he shall forfeit x. li. all his goods, or the value of the thing by Quere. him told.

8 The Stranger, Artificer, Denizen or not Denizen, being a House-holder, which will remaine within this Realme, shall vpon lawfull notice to him giuen by the Master or Wardens of his craft, or one of them, personally present himselfe in the common Hall, or meeting place of the said Craft, within the city or town where he doth inhabit, and there shall be sworn vpon the holy Euangelists to be faithfull and true to the King, and his heires, Kings or Quenes of England, and to be obedient to his or her Lawes, and to all Acts, Ordinances, and Decrees made and confirmed by his and her Counsell, or by his Counsell. And that at all times when he shall be appointed by the Wardens of the Fellowship &c. or their Deputies, he shall be ready to goe with the said Wardens to make search. And that he shall not giue notice to any Stranger of the sayd search, vntill he with the said Wardens come together to make the same. And that he shall well, indifferently, and truly behaue himselfe, setting all affection, fauour, malice, and dread of any creature, and all fraud and deceit apart. And the Oath so receiued, the said Stranger shall pay for his admission, as the Kings subjects vse to pay. 21. H. 8. 16.

The Strangers oath.

9 No Stranger Artificer not being Denizen, shall set vp or keepe any house, shop, or chamber within London, or any other City, Towne, Borough, or Village, wherein he shall exercise any Handicraft or Myserie, vpon paine to forfeit all his goods. 1. R. 3. 9. 21. H. 8. 16.

Denizen Artificer onely shall keepe house, shop, &c.

10 No Stranger Artificers, Denizens, or other, bozne out of the Kings obedience, shall assemble in any Company, Fellowship, Congregation, or Conuenticle, but onely in the Common Hall of their crafts, with the Kings subjects of the same crafts, at such time as they shall be commanded by the Master and Wardens of the said crafts, and at none other place, or time, or in other maner, vpon paine to forfeit all their goods. 1. R. 3. 9. 21. H. 8. 16.

Aliens shall not assemble but in their Halls.

11 All aliens being in friendship with the King and the Realme, and comming within any Cities or Townes within the Realme, with fish, or other victuals, and there carrying, and returning againe to their owne Countries, shall be vnder the Kings protection, and it shall be lawfull to euerye of them to cut their fish and victuals in peeces, and by retail, or in grosse to sell the same. 6. R. 2. 10. And if any man disturbe any alien to sell his fish in foyme aforesayd, he shall forfeit x. l. 14. H. 6. 6. S. V. Victuals 2. Marchants 1.

Aliens victuals.

12 No person stranger, being a common Baker, Brewster, Surgeon, or Scrivener, shall be interpreted a handicrafts man, by reason of vsing any of the said sciences of baking, brewing, surgerie, or writing. 22. H. 8. 13.

Handicrafts men.

13 All leases of any dwelling house or shop within any the Kings dominions, made to any stranger artificer, or handicrafts man, bozne out of the Kings obedience, not being Denizen, shall be void. And no stranger artificer, or handicrafts man, bozne out of the Kings obedience, not being Denizen, shall take any lease of any dwelling house or shop, within any the Kings dominions, vpon paine to forfeit for euerye time doing contrarie v. l. And no person shall grant or let to ferme any dwelling house or shop to any such stranger &c. not being Denizen, to the intent to inhabit in the same, vpon like paine to forfeit v. l. to the King and I. to be recovered by A. I. &c. wherein no W. C. or P. &c. 32. H. 8. 16.

Leases of houses to Aliens being not Denizens.

14 Euerye alien bozne out of the Kings obedience, not being Denizen, which

not

Aliens, Strangers, & Denizens. Amerciaments &c.

Aliens bound
vnto the lawes
of this realme

Denizens
bound to obey
the Statutes

Whoso in
patents made
to Denizens

Statutes re-
pealed.

Quere.

Triall.

Vessel.
Benefice.

Vitnals.

Wools.
Wools.

Inheritable.
Herring.

Money.

Gold.
Customs.

now be, or hereafter shall come in or to this Realme, or elsewhere within the li. do-
minions, shall be bound by and vnto the Lawes and Statutes of this Realme, and
to all the contents of the same. And all strangers bozne out of his Graces obey-
sance, which heretofore have bene made Denizens, or that hereafter shall be made
Denizens, shall be bound and obedient by and vnto all the foresaid Statutes, made
1.R. 3. 14. H. 8. & 21. H. 8. and to all the contents of the same, and to all other Sta-
tutes heretofore made, now being in their force: Any Letters Patents, or Ordi-
nances heretofore made, or hereafter to be made, to the contrarie &c. notwithstanding.
And also in euery Letters Patents, of, or for the making of any Denizen, to
be made to any stranger, not being bozne vnder the Kings obersance, shall be con-
tained a Prouiso, That he to whom such Letters Patents shall be so granted shall
be bound and obedient by and vnto all the Acts and Statutes of this Realme, and
to all and euery the contents of the same, except it shall be the Kings pleasure to
grant to any such alien, any speciall Liberties or Priuiledges, more, or other wise
than is contained in the said Statutes. And in that case, all such Liberties and
Priuiledges so to be graunted to any such Alien, contrarie to the forme of any of
the sayd Statutes, shall be plainly, wholly, and particularly expressed by special
words, as well in the Bill assigned with the Kings hand, for obtaining of any such
Graunt, as in the Letters Patents to be made out of the Chauncerie for the same.
32. H. 8. 16.

15 In the foresaid Statute of 1. Rich. 3. 14. H. 8. 21. H. 8. & 32. Hen. 8. there be
seuerall ordinances for the taking and keeping of Apprentices, Journeyman, and
seruants by Aliens, and of Aliens: but the force of them seemeth to be taken away
by the Statute made 5. Eliz. 4. which repealeth al Statutes before that time made,
concerning the hiring, keeping, order &c. of Seruants, Artificers, Apprentices &c.
and the penalties concerning the same. Sed Q.

1 Where an Enquest shall be *de Medietate lingue*, an Alien being party, & where
not. S. Iurors 11. 29. 30. Attaints 21.

2 No Alien borne, shall worke vessel made of Tinne or Pewter. S. Pewter 8.

3 No Alien shall take a Benefice, nor any shall occupie it to his vse without the
Kings Licence. S. Preemunire 2. 4.

4 Aliens being in amitie with the King may bring in Viſtuals, and sel them in
grosse, or by retaile. S. Viſtuals 2. Marchants 1.

5 At what time of the yere a Merchant Alien may buy wooll. S. wools. 6.

6 No Alien shall force, clack, or beard wool. S. Wools 8.

7 Which Aliens be inheritable in England. S. Abilitie 2.

8 In what case Herring may be bought of an Alien, & in what not. S. Fish 13.

9 Aliens shall employ their money here receiued vpon the commodities of this
Realme. S. Merchants 9. 10.

10 Gold or siluer may not be deliuered to any Alien. S. Money. 2.

11 What custome Aliens shal pay for salted fish or herrings brought into this
Realme. S. fish 18.

12 A remedie for Aliens robbed on the Sea. S. Safeconduct 3.

13 No Alien shall weaue or make any Worstedes, Sayes, or Stamines in great
Yarmouth or Linne. S. Worstedes 7.

14 No Alien shal conuey any Bowes or Arrows out of the realm, nor vse sho-
ting. S. Archerie 6. 7.

Amerciaments and Fines to the King.

None shall be
amerced, but
according to
their offence.

NO Citie, Borough, or Towne, nor no man shalbe amerced but for reasonable
cause, and according to the quantity of his offence, a freeman saving his free-
hold,

hold, a merchant saving his merchandise, and any other mans villaine (except the Kings) saving his villaine tenure, if he offend the King. And none of the said amer-
ciaments shall be assessed, but by the othe of honest and lawfull men of the same vi-
cinage. Mag. Char. 9. H. 3. 14. West. 1. 3. E. 1. 6.

2 Charles and Barons shall not be amerced but by their peers. And a spiritual person shall not be amerced, according to his Ecclesiastical lining, but by his lay
peers: And those amerciaments shall be but according to the quantitie of their severall
offences. Mag. Chart. 9. H. 3. 14.

3 Nothing shall be given for a writ of Inquisition, nor taken of him that giveth
Inquisition of life, or of member. Mag. Char. 9. H. 3. 26.

4 No Escheator, Commissioner, or Justice specially assigned to take a view, or
to heare and determine causes, shall have authority to amerce for default of common
Summons, but the chiefe Justices, & the Justices in Eyre in their circuits. Marl.
5. 2. H. 3. 18.

1 Causes to amerce Towneships. Marl. 5. 2. H. 3. 24.

Apparence.

If any Philoser, Crigenter, or any other Officer of the R. Bench or Canon
place, do make any entrie in any suit, that the plaintife in the same suit hath offer-
red himselfe in his owne proper person, except the plaintife in the same (before such
entrie be made) do appeare in his owne proper person before some of the Justices
of the place where the plea is depending, and there be sworne upon a booke that he
is the same person, in whose name the said suit is sued, or that some other credible
person of the Kings Councell will take such othe for him, the said Philoser &c. shall
forfeit 11. shillings to the King, every time that he shall be attainted, by examination
of any of the Justices of the same place, where any such entrie or recorde is. 10. H. 6.
4. 18. H. 8. 9.

Appeales and Prouocations.

In such cases where heretofore any of the R. Subjects or residents have bin to pur-
sue, prouoke, or procure any appeale to the See of Rome, and in all other cases
of Appeales, in or for any causes Testamentarie, causes of spoliations, & Winc-
ces, rights of Witches, Oblations, and Obventions, they may & shall take home, and
use their appeales within this Realme, and not elsewhere, in manner and forme en-
suing, and not otherwise. That is to say, first from the Archdeacon, or his Official,
if the matter or cause be there begun, to the Bishop Diocesan of the same Diocese; if the
case any of the parties be grieved. 24. H. 8. 12. 1. Eliz. 1. 2.

2 And if it be commenced before the Bishop Diocesan, or his Commissary, from
the Bishop Diocesan, or his Commissary, within 10. daies next ensuing the iudg-
ment or sentence thereof there given, to the Archbishop of the Province of Can-
burie, if it be within his Province. And if it be within the Province of York, then
to the Archbishop of York, and so likewise to all other Archbishops in other the R.
Dominions, as the case by order of Justice shall require, and thereto be definitively
and finally decreed and adjudged, according to Justice, without any other Appel-
lation or Prouocation to any other person or persons. 1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 1. Eliz. 1.

3 And if the matter or contention, for any of the causes aforesaid, be or shall be
commenced by any of the R. Subjects or residents, before the archdeacon of any Arch-
bishop or his Commissary, then the parties grieved shall or may take his appeals
within

Amerciament
of Barons &
Spiritual
persons.

Entrie that
plaintife offer
red himselfe in
proper person.

Appeals from
the archdeacon
or his official.

Appeals from
the Bishop or
his commissary
in such cases.

Appeals from
the Archdeacon
of an Arch-
shop.

Appelles & Prouocations.

within xv. dayes next after sentence there given to the Court of the Arches, or audience of the same Archbishop, and from the said Court of the Arches, or audience, within xv. dayes then next ensuing, after Judgement or sentence there given to the Archbishop of the same Province, there to be definitively and finally determined, without any other processe or appeal thereunto to be had or sued. 24. H. 8. 12. 1. El. 1.

Causes commenced before an Archbishop
 4. Every matter, cause, and contention that shalbe commenced by any of the R. subjects, or residents, for any of the causes aforesaid, before any of the said Archbishops, shall be before the same Archbishop, where the said matter, cause, or proces shall be so commenced, definitively determined, decreed, or adjudged, without any other appeale, prouocation, or foraine proces out of this Realme, to be sued, to the let or derogation of the said judgement &c. otherwise then is by this Act limited and appointed. Saving alwayes the prerogative of the archbishop and Church of Canterbury in all the aforesaid cases of appeales to him and to his successors, to be sued within this Realme, in such wise as they have been accustomed to haue heretofore. 24. H. 8. 12. 1. El. 1.

The prerogative of the Archbishop of Canterbury
 5. For lack of Justice at or in any the Courts of the Archbishops of this realm, or in any the R. dominions, it shalbe lawful to the parties grieved, to appeale to the R. Chancery in his Court of Chancery, and upon every such appeale, a Commission shalbe directed under the great Seale to such persons as shalbe named by the R. highnesse, his heires or successors (like as in case of appeal from the Admirals Court) to heare and definitively determine such appeales, and the causes concerning the same, which Commissioners so to be named or appointed, shall haue full power to heare and definitively determine every such appeale, with the causes and all circumstances concerning the same. And such Judgement and sentence as the said Commissioners shal make and decree in and upon any such appeale, shalbe good and effectual in al so definitively, and no further appeals shall be had or made from the said Commissioners for the same. An. 25. H. 8. 19. 1. El. 1.

Appeales in causes touching the King
 6. And in case any cause, matter, or contention, for the causes before rehearsed, or any of them shall come in contention for any of the same causes in any of the aforesaid Courts, which hath, doth, shall, or may touch the King, his heires or successors, R. or Du. of this Realme, then the parties grieved shall or may appeale from any of the said Courts of this Realme, where the same matter shall happen to ventilate, be considered or begun, to the spiritual Princes of the upper house assembled by the kings writ to the conuocation being, or next ensuing within the Province or Provinces, where the same matter of contention shall be begun, so that every such appeale be taken by the party grieved, within xv. dayes next after the Judgement or sentence thereupon so given. And to whatsoever shall be done, affirmed, determined, decreed, and adjudged by the aforesaid Princes of the upper house of the said conuocation, concerning or belonging to the king, his heires or successors, in any of the aforesaid causes of appeales, shall stand and be taken for a final sentence, judgement, and determination, and the same matter so determined neuer after shall come in question and debate to be examined in any Court. 24. H. 8. 12. 1. El. 1.

Punishment of the offenders
 7. If it shal happen any person to pursue or prouoke any appeal contrarie to the effect of this Act, or refuse to obey, execute and observe all things comprised within the same, concerning the said appeales, prouocations, and other foraine proces to be sued out of this Realme, for any the causes aforesaid, then he, his Executors, Executors, Advocates, Counsellors, and Abbettors, and euery of them shall incur into the penalties ordained in the Stat. of Praemunire, made 16. R. 2. and with like proces to be made against the said offenders, as in the same Stat. appeareth. 24. H. 8. 12. 1. El. 1. 25. H. 8. 19. 1. El. 1. 25. H. 8. 19. that if any person prouoke or sue any manner of appeales, of what nature or condition soener they be, to the Bishop or Dea of Rome, or to procure or execute any proces from the Dea of Rome, or by authoritie thereof,

thereof, to the derogation of let of the due execution of the aforesayd Statute, shoul he, his Counsellors, &c. shall incurre into the penalties & dayned in the Statute of Praemunire, made 16.R. 2. But by the Stat. of 13. Eliz. 2. the getting of any Bull, writing, or instrument whatsoever from Rome, containing any matter or cause whatsoever, is high Treason. S. Rome 2.

8 Euerie such iudgement and sentence definitive, as shal be giuen or pronounc- ed in any civile and marine cause, vpon appeale lawfully to be made therein, to the Quene in her court of Chaucerie, by such Commissioners or Delegates as shal be appointed by her Maestie, her heirs, or successors by commission vnder the half Seale, as it hath bene vsed in such cases, shalbe final, and no further appeale shal be had or made from the sayd Iudgement or sentence definitive, or from the sayd Commissioners or Delegates, for, or in the same. 8. Eliz. 5.

3 That euerie Ecclesiastical Iudge shal award costs to the other party vpon ap- peale made in any suit for subtraction of Tythes or Offerings. S. Tythes 2.

Appeales in
civile or ma-
rine causes.

Appeales of Felonie.

ALI Appeales of things committed within this Realme, shal be tryed and de- termined by the Lawes of the Realme: And of things committed out of the Realme, before the Constable and Marshal of England. And no Appeale shalbe pursued in the Parliament. 1.H. 4. 14. But all Treasons, and misprision of Treason committed out of this Realm, shalbe tried in the Kings Bench, or in such coun- tie of this Realme, as the King by Commission shal assigne. 16.H. 8. 35. Hen. 8. 2. 5. E. 6. 11. S. Treason 10.

2 If the Appellant in Appeale do declare the deed, the years, the day, the houre, the time of the King, and the towne where the deed was done, and with what wea- pon he was slaine, the appeale shal stand in effect: And the Appeale shal not be a- bated for default of freshsuit, where a man doth sue within the yere and the day after the deed. Glo. 6. Ed. 1. 9.

3 No person shal be outlawed vpon appeale of commandement, for, ce, aid, or re- ceit, untill the principall be attainted. But the Appello; shal not let to attach his appeale in the next Countie, as well against the Accessorie, as against the princi- pall. But the Exigent against the accessorie shal stay, untill the principall be attain- ted by Outlawrie, or otherwise. West. 1. 3. Edw. 1. 14. And if any be appealed of an act done as principall, they that be appealed as accessories shalbe attached, & surely kept, untill the principall be attainted. Officium Coronatoris 3. Ed. 1.

4 None shal be taken or imprisoned by the appeale of any woman for the death of any other then of her husband. Mag. Char. 9. H. 3. 34.

5 When any appealed of Felonie doth acquit himself in the Kings court in one maner, at the suit of the Appellant, or the King, the Iustices before whom the ap- peal shalbe heard & determined, shal punish the appellant by a yeres imprisonment, and neuertheless such appellant shal yield to the appellor damages by the Iustices discretion, having respect to the imprisonment, or arrest, that the partie hath sustai- ned by reason of such appeale, and to the slander which he hath received, and also he shal pay a grievous amerciament to the R. And if the appello; be not sufficient to answer damages, enquire shalbe made, by whose abbetment the appeale was ma- liciously commenced, if the Appellor desire it. And if it be found by the same inquest, that any man is abbetor; through malice, he shalbe distrained by a iudicial writ at the Appellors suite, to appeare before the Iustices, and if he be lawfully convicted of such abbetment by malice, he shalbe imprisoned, and restore damages, as is aforesaid of the appellant. W. 2. 13. E. 1. 12. And any person indicted or appealed of fe- lonie or Treason in a soveraine Countie, shall in an action vpon the case, recover tre- ble

In what plac-
ces appeales
shalbe pursued

Appeale of
Murder.

Exigent to
appeal against
the principall
and accessorie.

Appeale of a
woman.

The appello;
being acquitted
the appellor &
abbetor; shal
be punished.

Procurers of
appeales in a
soveraine county
ble

Approvers. Approuements.

ble damages against enerie p[ro]curer of such indictment or appeale, after he is duly acquitted by verdict: & like p[ro]ces shall be in the same, as in an action of Trespass. vi & armis. 2 H. 6. 10. S. Coroners 7. 8.

- 1 Within what time and before whom an appeale of Murder shall be commenced. S. Murder 4.
- 2 How the defendant in appeale of Maime shall be vsed. S. Coroners 8.
- 3 That appeale of Murder may be commenced in one Countie of the death of any other person stricken or poisoned in another Countie. S. Trial 1.
- 4 In what case appeale of Murder may be commenced against a man arraigned at the Kings suit. S. Murder 3.
- 5 Appeale against any person dwelling in a foreine Cotnry. S. Indictments 3. Trial 1.

Approvers.

Appeales by Approvers.

Who soeuer shall bee appealed by any approvers remaining in the gaoles, which the Just. of Gaole deliuerie shall deliuer, in what place soener of the Realme the persons appealed shall remaine, immediately the Sh[er]iffe of that Countie where such persons appealed be conneriant, or may be found, shall be commanded by the Kings Writts vnder the testimonie of the same Justices, that he shall take those persons appealed, and conuey them to the Gaole, where the approvers, by whose appeale they be apprehended, be imprisoned, and the Sh[er]iffe or Gaoler of that prison shall receive them, and there they shall answer befoze the same Justices. And if they put themselves vpon the Countrey, the Just. shall send by a Iudiciall Writt to the Sh[er]iffe of the Countie where the felonie was committed, that he shall retorne an Enquest befoze them at the place where the approvers do remaine. Stat de Appellatis 28. Ed. 1.

- 1 It is felonie for a Gaoler to cause a prisoner to become an Approver. S. Prisoners 2. Felonie 17.

Approuements.

Lords may approue against their tenants.

The Lords of Manns, Wodes, and Pastures (which haue enfeofred their freeholders of small Tenements within their great Mannors) may approue of the same Manns, Wodes, & Pastures, notwithstanding the contradiction of their Tenants, so that the same tenants may haue sufficient pasture vnto their tenements with free ingresse and regresse to the same. Merton 20. H. 3. 4.

Lords may approue against their neighbours.

- 2 The foresaid Statute p[ro]vided betwixt the Lord and his tenants, shall take place betwixt the Lords of Manns, Wodes, and Pastures, and their neighbours, so that the Lords leauing sufficient pasture to their men and neighbours, may approue the residue. And this shall be obserued of them which claime pasture p[er]taining to their freehold. But if a man claime common of pasture by a speciall seoffment or grant for a certaine number of cattel, or by any other means, then by common right (seeing couenant both abrogate law) he shall recouer his owne according to the grant. West. 2. 13. Ed. 1. 46.

Common in grosse.

Approuement leauing sufficient common and passage.

- 3 And if such tenants or neighbours doe bring an Assise of common of pasture, if it be found befoze the Justices that they haue as much pasture as is sufficient for their tenements, and that they haue sufficient ingresse and regresse from their tenements vnto their said pasture, they shall hold themselves contented, & their Lords of whom they complained, shall be quiet, and make their commodities of the residue. But if it be found, that their ingresse and regresse were any thing hindered by the deforcours, or that they had not sufficient pasture, then they shall recouer their

seisin

seisin by view of the Jurors, so that by their discretion, and oath, they shall have sufficient pasture, ingress, and regress, and the disseisors shall be amerced, and render damages. 20.H.3.4. 13.Ed.1.46.

4 By occasion of a Windmill, Sheep-house, Dairie, augmentation of a neresarie Court, or Curtilage, no man shall be grieved by Assise of common of pasture. West.2. 13.Ed.1.46.

5 All such person and persons which shall bring Assise upon any branch or article of any of the foresaid Statutes, and have iudgement to recover, shall have his or their damages trebled by the iudgement of the Court, where such Assise and iudgement shall be had. 1.Ed.6.3.

6 If a ditch or hedge (made by any person that hath authoritie to approue) be in the night or otherwise priuily throwne downe, and it cannot be known by the verdict of the Assise or Jurie who did it, nor the inhabitants of the next townes will accuse them that be guiltie, the townes next therabout adjoining shall be distrained to leuie the dedges or hith at their owne charges, and also to render damage. West.2. 13.Ed.1.46.

7 The foresaid two Statutes made 20.H.3 & 13.E.1. no any thing in any of them contained, shall extend to any houses with ground builded upon commons or wast grounds (before 4.Nouemb.An.1549.) with ground under the quantitie of thre acres, and not above, inclosed to and with the same: Nor to any Garden, Orchard, or Pond, inclosed before the sayd day, out of, or in such wastes or ground, which exceed not the quantitie of two acres, nor shall cause any person to lose any penaltie for the same. But if any such house hath bene before the sayd day builded upon any such wast ground, & that there be above thre acres inclosed to the same, then the said house and thre acres, parcell of the same inclosure, shall still continue, and the overplus of the said thre acres shall and may be laid open by the owner of the same wastes. 3.Ed.6.3.

8 The King or Lords, as well bodies politike or corporat, as any other person or persons whatsoeuer, of all and euerie the wastes, commons, marshes, and fenne grounds subiect to surrounding, within the Isle of Elie, and the Counties of Cambridg, Huntingdon, Northampton, Lincoln, Northfolke, Suffolke, Sussex, Essex, Kent, and the Countie Palatinate of Durham, and the most of the Commoners for their particular Commons, and likewise the owners, and such as haue or shall haue interest in any severall surrounded grounds, lying within or nere the same, may contract or bargaine for part of such Commons, Wastes, and Seuerals aforesaid, with such person and persons which will undertake the maining and keeping the same perpetually, the Seuerals, Wastes, or Commons of that qualite. Which contract, and bargaine, and conuencances thereupon made, shall be good and available in law, to all controuersies and purposes, against the sayd Lords of the said soile and owners of Seuerall, and their heires, successors, and assignes, and all the Commoners, & such as shall or might haue Common or interest thereaftwards, according to the contracts, covenants, provisions, and agreements in those conuencances to be specified, and for so much of such Commons, Wastes, or Seuerals, as shall be so contracted or conueyed: To hold and enioy in feueraltie to such person and persons, his or their assignes or assignes, as shall or haue undertaken the same, in such manner and forme as his or their estates and interests are, or shall be, by or upon such contracts or agreements, by such conuencances limited or appointed. 43.Eliz.11.

9 Provided notwithstanding, That in all cases where the King, her heires or successors is or shall be Lord or owner of the freehold of the soyle of such Wastes or Commons, or any part of the same, That the most part of the Commoners, in such her Highnesse soyle, shall or may contract, bargaine, assigne, and set forth, as is

Treble damages.

Ditch or hedge of ground approued, throwne downe.

Houses with grounds under thre acres
Gardens,
Orchards,
Ponds.

Undertaking for the maining of marsh grounds.

The Queens consent where she is Lord of the soyle.

Approuvements.

The residue
of the waste
not assigned.
All Liberties
reserved.

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 CHICAGO, ILL. 60637

11 This Act shal not extend either to any bargaine, sale, agrément, grant, conveyance, or assurance, or to the inning, buying, or laying dyle of any Commons, Arches, or surrounded grounds, wherby, or by meanes whercof, any of the Havens or Ports of this Realme of England, may be in any sort annoyed, impaired, or hindered: nor to any grounds within eight miles of Portsmouth, or six miles of Linne, within the Countie of Suffolke. 43. Eliz. 11.

1 For Approuement of the drowned Marshes of Lesnes and Farns in the Countie of Kent: and of certaine Fennes and low grounds in the Isle of Elie. S. 4. Jacobus 8. 13.

Archerie.

Etterie man being the li. subiect, not lame, decrepit, maimed, nor having any other lawfull or reasonable cause or impediment, being within the age of lx. yerres (except Spiritual men, Just. of the one Bench & of the other, Justices of Assise, and Barons of the Exchequer) shall exercise shooting in long bowes, and also haue a bow and arrowes continually in his house, to vse, & do vse himselfe in shooting, & euery farther, ruler, and gouernour, shall bying vp those which be in his house of tender age in knowledge of shooting. 33. H. 8. 9.

2 If any man suffer any man child, being his sonne or man seruant, taking wages, betwixt the age of seven yerres and seventene, to remaine in his house, without a Bow and two Arrowes, by the space of one moneth together, then the Master or father shall forfeit for euery default vi. s. viij. d. If the said seruant take wages, the Master may buy the said bow and arrowes, and abate him of his wages. 33. H. 8. 9.

3 If any seruant taking wages, and able to shot, being betwixt the age of seventene yerres and thirtie, lacke a Bow and four Arrowes by the space of one moneth together, he shall forfeit for euery such default vi. s. viij. d. 33. H. 8. 9.

4 If any vnder the age of xiiij. yerres shall shot at any standing pycke, except it be at a couer, whereas he shall change his marke at euery shot, he shall forfeit for euery shot doing the contrarie, iij. d. 33. H. 8. 9.

5 If any aboue the age of xiiij. yerres do shot at any marke of xj. score yards, or vnder, with any pyck shaft, or slight, he shall forfeit for euery shot vi. s. viij. d. 33. H. 8. 9.

6 No stranger bozne out of the li. obeysance, not being denizen, shall conuey or do to be conueyed, giue, sell, or exchange into any parts out of the Kings obeysance, any long Bowes, Arrowes, or shafts, without the li. speciall licence, vpon pain of forfeiture of the same, wheresocuer they shalbe taken, or the value thereof within the Kings power, and vpon paines of imprisonment, without baile or mainprise, vntill such time as he so being in ward hath made a reasonable fine to the li. for his offence befoze the Just. of Peace, or two of them, in their Sessions in the same Countie where he shall be committed to ward, or find sufficient surety for the payment of the same fine. 33. H. 8. 9.

7 No person not being bozne within the Kings obeysance, not made Denizen, shall vse within the Kings obeysance shooting with long Bowes, without the Kings licence, vpon paine of forfeiture of such Bowes, Arrowes, and shafts, as they shall bee found so shooting with. And euerye of the Kings subjects may haue authoritie to take and seise the same forfeitures to his owne vse. 33. H. 8. 9. S. Aliens 2.

8 If any Bowyer, Fletcher, Stringer, or Arrow-head maker, repairing to the Citie or Suburbes of London, & there making his dwelling & abiding, being not a

Armour.

Booyers & Fletcherers of London being commanded, shall dwell elsewhere

freeman of the said Citie, neither bearing scot nor lot within the same Citie, shall refuse to depart from the said Citie, Suburbs, streets, lanes, & places nere the same, to go and inhabit such other Citie, Borough, or Towne of the Realme of England, as is destitute of such Artificers, & there to exercise his craft and facultie, for the maintenance of Artillerie, whensoever warning shall be to him given by the R. honourable Councel, the L. Chancelor of England, the L. Treasurer, L. priue Seale, or one of them, then he so refusing shall forfeit for everie day that he shall make his abode contrarie, xl. s. 33. H. 8. 9. S. Iustices of Peace 63.

1 Who shall haue the forf. given by this Statute, and within what time the suit must be commenced, and before whom. S. Playes 7. Actions popular 11.

Armour.

No man shall come armed before the Iustices, nor go or ride armed.

NO man shall come before the Kings Iustices, or other Officers, in doing their Offices, with force and armes, nor shall bring any force in assay of the peace, nor shall go or ride armed by day or by night, nor weare Sallet, Scull of yron, or other armour, vpon paine to forfeit to the King his armour, and his body to be imprisoned at the kings pleasure, except the kings seruants in his presence, and his Officers, in doing his Precepts, or their Offices, or such as be in their companie assisting them, or vpon a crye made of Armes, to keepe the Peace in such places where such things happen. And the Kings Iustices in their Precincts, Sherifes, and other Officers of the King, within their Bailiwikes, Lordes of Franchises, and their Bailifes thereof, and Sherifes and Bailifes of Cities and Boroughes within the same Cities and Boroughes, Borough-holders, Constables, and Gardeins of the Peace, within their Wards, haue power to put this Stat. of 2. Ed. 3. in execution. And the Iustices assigned, at their coming into the countrey, haue power to enquire how such Officers and Lordes haue vsed their Offices in this case, and to punish those which they find haue not done that which belongeth to their Offices. 2. Ed. 3. 3. Nor. 7. R. 2. 13. 20. R. 2. 1.

No seruant shall weare any sword, dagger, &c.

2 No seruant in husbandrie, or labourer, nor seruant of Artificer or Victualler, shall beare any Buckler, Dagger, or Sword, vpon paines of forfeiting the same (except it be for the defence of the Realme in the time of warre, and then by the suruey of Armapers for the time being, or in travelling with their masters, or on their masters business.) And Sherifes, Sherifes, Bailifes, & Constables, shall haue power to arrest, & shal arrest all offendours against this stat. & seise the said bucklers, swords and daggers, and keepe them till the Sessions of the J. of the Peace, and the same shall present before the same J. in their Sessions, together with the names of them that did beare the same. But this shall not be preiudiciall to the franchises of Lordes, touching forfeitures due to them. 1. R. 2. 6.

Imbeiselling the Ordnance, armour, victuall, &c.

3 If any person or persons hauing at any time hereafter the charge or custodie of any armour, ordnance, munition, shot, powder, or habiliments of warre of the Qu. Maestie, her heires or successors, or of any victualls provided for the victualing of any souldiers, gunners, mariners, or pioners, shall for any lucre or gaine, or wittingly, aduisedly, & of purpose to hinder or impeach her Maesties seruice, imbeisell, purloine, or conuey away any the same armour, ordnance, munition, shot, or powder, habiliments of warre, or victualls, to the value of 10. s. at one or severall times, then euerie such offence shalbe iudged felony, & the offendour & offendours therein to be tried, proceeded on, & suffer as in case of felony. But none shalbe impeached for any offence against this Stat. vnlesse the same impeachment be prosecuted or begun within the yere next after the offence done. And this act, nor any attainder or attainders of any person or persons, for any offence made felony by this act, shall in any wise extend or be interpreted to make the offendour or offendours to forfeit any lands,

within the yere impeached.

lands, tenements, or hereditaments, any longer than only during his or their life or lives, or to make any corruption of blood, to any the heire or heires of any such offender; or offender's, or to make the wife of any such offender to lose or forfeit her dower, or title of dower, or, in any lands, tenements, or hereditaments, or her action or interest to the same, any thing in this Act etc. notwithstanding. And such person or persons as shall be impeached for any offence made felonie by this Stat. shall by vertue of this Act be received & admitted to make any lawfull proofe that he can, by lawfull witnesse, or otherwise, for his discharge & defence in that behalfe: any law etc. notwithstanding. 31. Eliz. 4.

1 The remedie for the owner, where a souldier doth make away his horse or armour. S. Captaines 1. 2.

2 None in Wales shall come armed to any Sessions, Church, Faire, Market &c. S. Wales 103.

3 Recufants Armour shall be taken from them. S. Recufants 74.

Arrow-heads.

Everie Arrow head and Quarrell shall be marked with the marke of him that made the same. And if any that do make them, doe not well boyle or braise & harden them at the point with Steele, he shall forfeit the same to the King, and shall be imprisoned, and make fine at the Kings pleasure. 7. H. 4. 7. S. Corporations 10. Iustices of Peace 55.

Arrests.

If any of the Kings Officers, or other person, doe arrest any Priest, Clerke, or other, which is doing any Divine service in the Church, Churchyard, or other place dedicated to God, he shall be imprisoned and punished at the Kings pleasure, and further, shall recompence the partie arrested. But no people of the Church shall keepe them within the Church, or Sanctuary, by fraud or collusion. 50. Edw. 3. 5. 1. R. 2. 15. S. Preacher 1.

2 If any men of great power, or their Bailiffs, or any other (except the Kings Officers, unto whom speciall authoritie is therunto given) either upon the plaint of others, or upon their owne authoritie, doe attach other passing with their goods through the place where they have authoritie, to answer before them of contracts, covenants, or trespasses committed without their power and iurisdiction, whereas they hold nothing of them, nor within the franchise where their authoritie is, he which offendeth shall answer to the partie grieved his double damages, & shall pay a grievous amerceiament to the King. West. 1. 3. Ed. 1. 34.

1 Where the plaintife shall pay costs and damages for unlawfull arrests. S. Damages 1. 2.

2 Where and by whom Nightrwalkers shall be arrested. S. Watch 1.

3 All shal be readie to arrest felons and other great offenders. S. Felonie 40. 41.

Artificers.

If any Butchers, Bakers, Brewers, Doulters, Cooks, Colfermangers, or Friarers, shall conspire, covenant, promise, or take any othes, that they shall not sell their victuals but at certaine prices: or if any Artificers, Workmen, or Laborers, do conspire, covenant, promise together, or make any othes, that they shall not doe their works but at a certaine price or rate, or shal not take upon them to finish that which

Whosoever conspire for the selling of their victuals. Laborers conspire for the order of their works.

Assise.

which another hath begun, or shall do but certaine woorkes in a day, or shall not worke but at certaine houres & times: Then euery of them so offending, being lawfully conuicted thereof by witnesse, confession, or otherwise, shall forfeit for the first offence x. l. to the King, and if he doe not pay the same within six dayes after conuiction, hee shall be imprisoned xx. dayes, & haue onely bread and water for his sustenance. And for the second offence shall forfeit xx. l. or shall suffer the punishment of the pillorie. And for the third offence shall forfeit xl. l. or shall suffer the punishment of the pillorie, lose one of his eares, & to be taken infamous, and neuer to be credited in matter of iudgement. 2. Ed. 6. 15.

Conspiracie
made by a
Company of
Vidualers.

2 And if any such conspiracie, couenant, or promise, be made by any Compagnie of any Mysterie of the Vidualers aforesaid, with the consent of the moze part of them, then besides the particular punishment appointed for the offender, the corporation shall be dissolved to all intents. 2. Edw. 6. 15. S. Iust. of Peace 56. Corporations 7.

1 For the retaining, departing, working, wages, and order of Artificers. S. Labourers in all, and Iustices of Peace 66. 67. 68.

2 What Artificers shall not be interpreted handicrafts men. S. Aliens 12.

Assise.

Assise of Estovers,
wood, corrodie, toll, con-
nage, passage,
pontage, pavi-
nage.
Assise of
offices.
Assise of com-
mon of Tur-
bary, fishing.

Assise shall haue an Assise of Estovers, of wood, & of profit to be taken in wood, nuts, acornes, & other fruit to be gathered, of a Corrodie, of deliuering coyne and other victuals and necessaries, to be receiued yerely in a place certaine, of Toll, Connage, Passage, Pontage, Paviage, and such like things to be taken in places certaine. And an Assise doth lie of the keeping of Woods, Forests, Parks, Chases, Warrens, Gates, and other Bailiwickes, & offices in fee, & in all the aforesaid cases the writt shall be De libro tenementis. And as the Assise doth lye of Common of pasture, so doth it of common of Turbary, Fishing, and such like, which a man hath belonging to his freehold, or without his freehold by speciall deed, at the least for terme of life. And also it lyeth against him which pastureth another mans seuerall. West. 2. 13. Ed. 1. 25.

Assise against
gardein of te-
nant for peres
& their alienors

2 If tenant for terme of peres, or gardein of any tenement, doth alien the same in fee, whereby the freehold is transferred vnto the feoffee, the remedie is by Assise, and the alienor shall be adiudged a disseisor, and so shall the feoffee, so that during the life of either of them the same writt will lye. And if by the death of the foresaid persons, the said remedie doth faile, then there shall be redress by a writt of Centre. West. 2. 13. Ed. 1. 25. And the heire shall haue his recoverie immediately by Assise against the gardein and tenant. And the gardein shall lose during his life the custodie of the same thing recovered, & of all the residue of the inheritance which he holdeth of the same heires. West. 1. 3. Ed. 1. 47. S. Wards 8.

Assise by te-
nant by Ele-
git, Statute,
Recognizance.

3 If tenant by Elegit be put out of the tenement, which he hath in execution, he shall haue an Assise. 13. Ed. 1. 18. And so shall tenant by Statute merchant, if he be put out. 13. Ed. 1. Mercat. And in like sort shall tenant by Stat. Staple, if he be put out. 27. E. 3. 9. And also tenant by recognizance in the nature of a Stat. Staple, his exrecutors, administrators, & assignes, shall haue an Assise, if he, they, or any of them be disseised, or put out of the lands in execution. 23. H. 8. 6. An Assise may be maintained by any person disseised, which hath estate of inheritance, freehold, &c. in, or to any Parsonage, Vicarage, Paction, Pention, Rectory, Oblations, or other Ecclesiasticall profit, made or to be made Temporal for the recoverie of the same. 32. H. 8. 7. And the Parson of a Church may recover common of pasture by Assise. 13. Ed. 1. 24. S. Execution 1. Sec. Statutes 1. 12. Tithes 24.

Assise of a
parsonage, vi-
carage, tithes.

Assise by a
Parson.

4 If any Escheator, Sheriffe, or other of the Kings Bailifes, shall by colour of

of his Office (without speciall warrant, commaundement, or certaine authoritie, which belongeth to his Office) disseise any man of his freehold, or of any thing which belongeth to his freehold, either the disseise at his choise shall haue an Assise etc. and recouer double dammages, and the defendand shall be amerced, or else the King vpon the disseisors complaint shall redresse the matter. Westminster. 1. 3. Ed. 1. 24.

Assise against an Officer of the Kings.

5 Where lands be graunted by the Kings Patent, without any title found by Inquest, or else where the Kings Entrie is not giuen by the Law, they which be put out, or disseised of their freehold, shall haue an especiall Assise of the Lord Chancelors graunt, without suit to the King: And if the parties to whom the Patents be graunted, doe pray in aid of the King, the Chancelor: shal graunt a writ of Proccedendo, without further suit to the King. And if they which be put out, or the disseises doe recouer against such Patentes, they shall recouer their treble damages. 1. H. 4. 8.

Assise against the Kings Patentes.

6 If any man in his owne right, to his owne vse, or in another mans right to his vse, doth make any forcible entry into another mans lands by way of maintenance, or doth take, or carrie away any goods of the possessors of the freehold after any such forcible Entry, then if the partie grieved, or other lawful man will affirme, that the Entry was made in such forcible manner, the Chancelor: may graunt to the partie grieved a speciall Assise, and if the disseisor be attainted of such forcible disseisin, hee shall be one yeare imprisoned, and pay to the partie grieved his double damages, and also damages for his goods. And one of the Ju. of the one Bench or the other, or the chiefe Baron of the Exchequer (if he be learned in the law) shall be named in euery such speciall Assise: And no Superfedas shall be granted to the contrarie of such Assise. 4. H. 4. 8. S. Force &c. 3. & 6.

A speciall Assise against a disseisor with force.

7 Assise of rent issuing forth of tenements in several Counties, shall be holden in the border of the same counties, & the Assise shall be tried by people of the same counties, in such maner as hath bin vsed of common of pasture being in one Countie, and appendant to tenements in another County. 7. R. 2. 10.

Assise of rent going forth of lands in several Counties.

8 The panels of speciall Assises shall be arrayed, and a copy indented thereof deliuered by the Sherife to the plaintifes, tenants or defendants, by the space of six dayes at the least before the Session of the Iustices, if they will demand it. And the Bailifes of franchises shall make their returnes to the Sherifes of all such speciall Assises six dayes before, vpon paine of forfeiture of xl. l. to the K. by the said Sherife, or Bailife, for every default. 6. H. 6. 2. 42. Ed. 3. 11.

Copies of panels shall be deliuered to the parties.

9 If in Assise brought before Iustices assigned, the Sherife be named a disseisor, to the intent that he shall not serue the writ, but to haue the same directed to the Coroners, the tenant may plead, that the Sherife neither is, nor euer was disseisor nor tenant of the tenements in demaund, but was named by collusion, which being found by the Assise, the Iustices shall abate the writ, and the plaintife shall be amerced. 11. H. 6. 2. And if Assise, or other writ of plea of land be brought against the Lord of auncient demesne, or against the Spaior, Bailifes, & Communitie of franchises, of lands within the same franchises, which be neither disseisors nor tenants, but therein named to take away their franchise: first the Iustices shall enquire by the Assise, whether the Lord, Spaior, Bailifes, &c. be disseisors or tenants (if they require it) or be named by collusion: And if it be found that they be neither disseisors nor tenants, but named by Collusion, then the writ shall be abated, & the plaintife amerced, notwithstanding the other tenants or disseisors be named and found in such Assises or writs. 9. H. 4. 7. And if Assise or any personall action be sued in the Kings Bench, Common place, or before any other the Kings Iustices, of any lands within any franchise or auncient demesne whereof the iurisdiction belongeth to the said Lords, Spaiors, Bailifes, &c. if the defendand make default to put the sayd

The Sherife named a disseisor in Assise.

Lord of auncient demesne, Spaiors, &c. named disseisors.

Default made to put the Spaiors, &c. from their iurisdiction.

Lords,

Assise.

Lords, Barons, Bailiffs, &c. from their franchise, then the Justices at the request of the Lords, Barons, Bailiffs, &c. shall make enquire by the Assise &c. or by Inquest &c. And if it be found that such defaults be made by collusion to exclude the Lords, Barons, &c. of their franchises, cognisance, or iurisdiction, the writs shall be abated, and the plaintives amerced: And the plaintives, Lords, Barons, Bailiffs, &c. shall have their challenges. 8.H.6.26.

A disseisor by failing of a record vouched.

Certificat of Assise.

10 If he which is named a disseisor, both personally alledge any false exception, whereby the taking of the Assise may be deferred, viz. that at another time assise of the said tenements passed betwixt the said parties, or that a writ of higher nature dependeth betwixt them of the same tenements, & doth vouch any Rolls of Record to warrantie, & at the day giue he faile of his warrant, he shalbe adiudged a disseisor without recognisance of the Assise, and shall restore double damages of that which is or after shall be found, and also for his falschod shall be one yeare imprisoned. But if the said exception be alledged by a Bailiffe, the taking of the Assise shall not therefore be deferred, nor iudgement vpon the restitution of the land, and damages: yet if the Lord of the same Bailiffe which was absent, doe after come before the Justices which took the Assise, and doth offer to proue by Record and Rolls, that Assise another time passed betwixt the same partie, of the same lands, or that the plaintife withdrew himselfe in a like suit, or that a plee dependeth betwixt them by a writ of higher nature, there shall be a writ awarded to bring the Record before the Justices: and when the Justices doe see that the Record would haue preuailed before iudgement, and that thereby the plaintife should haue bene excluded of his action, they shall immediatly warne the partie, which first recovered to appeare at a day, at which day the defendant shall haue againe his seisin and damages which he first payed, with the damages after the first iudgement giuen doubled, and hee which first recovered shall be imprisoned at the Justices discretion. The like remedie shall the defendant haue against whom in his absence an Assise passed, which sheweth any doeds or releases, vpon the making whereof the Iurie was not, nor could be examined, because there was no mention of them in pleading: for the Justices vpon the sight of those writings shal award a Scire facias against the party which recovered to appeare at a day, and also shall cause the Jurors of the same Assise to come. And if they find those writings true by verdict, or incolment, he shalbe punished in forme aforesaid, which purchased Assise contrarie to his own doers. West. 2.E.1.25.

Attachment in Assise.

In Owe of b. a. price.

When Assise shalbe taken.

Difficult cases.

11 The Sheriffe shall not take an Owe of him which is disseised, but of the disseisor onely: And if there be diuers disseisors named in one writ, yet he shall take but one Owe, and he shall take an Owe but of the price of b.s. or else the price. Westm. 2. 13.Ed.1.26.

12 Assises of Nouel disseisin, Mortdancer, & Darrein presentment, shall be taken in Aduent, Septuagesima, and Lent, as well as Enquests may be taken: and that at the speciall request of the King made to the Bishops. West. 1.3.E.1.48. Assises of Nouel disseisin, & Mortdancer, shalbe taken but in their Counties, and difficult causes shalbe ended before the Just. of the Bench. And Assises of Darrein presentment shalbe taken & determined before the J. of the Bench. Mag. Char. 9.H.3.12.13.

- 1 Where the plaintife in Assise may abridge his plaint. S. Abridg. 1.
- 2 The remedie where the disseisor or disseisee dieth immediatly after the disseisin, or depending the suit. S. Age 1.
- 3 Where the tenant in Assise may make Attorney. S. Attorney 3.
- 4 The Jurors in Assise are not compellable to say precisely that it is a disseisin. S. Jurors 32.
- 5 For the pleading of Iointenancie in Assise. S. Iointenancie 1.
- 6 Where an Assise of common is maintainable. S. Approuements 3. Common. 1

Attaint

Attaint.

VPon euerie vntreue verdict giuen betwixt partie & partie in any suit, plaint, or demand, before any Just. or Judges of record, wher the thing in demand (and verdict thereupon giuen) extendeth to the value of xl. l. & concerneth not the reopar- die of mans life, the partie grieved by the same verdict shal haue a writ of Attaint against euerie person so giuing an vntreue verdict, & euerie of them, and against the partie which shal haue a iudgement vpon the same verdict. And by the death of the partie, or any of the petit Jury, the said Attaint shal not abate, nor be deferred against the remnant as long as two of the said petit Jury be alieue. And euerie one that shal passe in the same Attaint shal haue lands and tenements to the value of xx. marks by yeares of freehold, out of auncient demesne. 23. H. 8. 3. S. 18. H. 6. 2.

2 In the same Attaint there shal be awarded against the petit Jury, the partie, and the grand Jury, summons, returnes, & distresse infinit, which grand Jury shalbe of like number as the grand Jury is now &c. and vpon the distresse, which shal be deliuered of record vpon the same, open proclamation shal be made in the Court where the distresse shalbe awarded, moze than x. daies before the returne of the same distresse, and euerie such distresse shal be made vpon the land of euerie of the said grand Jury, as in other distresses is vled. And in all the foresaid Proses, such day shalbe giuen as in a writ of Dowry, wherein no C. P. &c. 23. H. 8. 3.

3 If the defendant or the petit Jurors, or any of them, appeare not vpon the distresse, then the grand Jury shalbe taken against them & euerie of them that shal so make default. And if any of the said petit Jury appeare, then the party complainant shal assigne the false Serement of the first verdict vntreuly giuen, whereunto they of the petit Jury shal haue no answer if they be the same persons, & the writ, proses, returne, & assignment good & lawfull (except that the demaundant or plaintife in the same Attaint hath before bin nonsuit or discontinued his suit of Attaint taken for the same, or hath for the same verdict in a writ of Attaint had iudgement against the said petit Jury) but only that they made true Serement, which issue shal be tried by xxiij. of the said grand Jury (for vtlary in an action, or cause, or excommen- gement pleaded in the plaintife or demaundant, is a void plea, whereunto he shal not be put to answer.) And the partie shal plead that they gaue true verdict, or any other matter, which shalbe a sufficient barre of the said Attaint: And that plea notwithstanding, the grand Jury shalbe taken without delay to enquire whether the first Jury gaue true verdict or no. 23. H. 8. 3. Stat de Actinētis 13. E. 2.

4 And if they find that the said petit Jury gaue an vntreue verdict, then euery of the said petit Jury shal forfeit xx. l. whereof one halfe shal be to the king, and the other halfe to him that sueth, to be leuied by Capias ad satisfaciendum, Fieri facias, or Elegit, or by action of debt, against euerie person of the petit Jury so forfeiting, and against his executors and administrators, having then sufficient goods of their sayd testator not administered. And euerie of the said petit Jury shal severally make fine by the discretion of the Justices before whom the said false Serement shalbe found after their severall offences, defaults, and sufficiencie of euery of them. And those of the petit Jury so attainted, shal neuer be after in any credence, nor their oath accepted in any part. 23. H. 8. 3.

5 If such plea as the partie pleadeth, which is a barre of the Attaint, be found or deemed against him, then the party that so sueth shal haue iudgement to be restored to that he lost, with his reasonable costs and damages. 23. H. 8. 3. 11. H. 6. 4.

6 If a false verdict be giuen in any action, suit, or demand, before any Just. &c. of record, of any thing personall, as debt, trespass, & other like, which shal be vnder the value of xl. l. then the partie grieved shal haue Attaint with such proses, & pleas, and with,

Attaint & here the thing extendeth to xl. l.

Attaint abate not by the death of the def. or any of the petit Jury

what lands each Jury must dispend.

Proces in Attaint.

Proclamation.

The grand Jury taken by default of the defendant or petit Jury.

what pleas the petit Jury may plead.

what plea the defendant in Attaint shal plead.

The punishment of the petit Juris attainted.

Judgement for the plaintife.

Attaint of any thing personall vnder xl. l.

Attaint.

without delays vt supra. And if the petit Jury be attainted, then euery of them shal forfeit v.l. to the King & partie &c. & also make fine by the discretion of the Just. and euerie person that may dispend v. marks by yere of frehold out of ancient demesne o2 is worth C. markes in goods, is able to passe in the same Attaint. 23. H.8.3.

Tales into another Shire.

7 If there be not persons of such sufficiencie within the Shire o2 places, where any of the said Attaints shall be taken, as may passe in the same, then one Tales shall be awarded vnto the Shire next adioynning by the discretion of the Iustices, &c. which shal be warned to appeare vpon like paines, &c. and enabled to passe in the said Attaints, as if they were dwelling in the Shire where that same shall be taken. 23. H.8.3.

Judgement for the defendant where the plaintife is nonsuit, o2 doth discontinue.

8 If the partie in Attaint given by this Act, be nonsuit, o2 discontinue the same, he shall make fine and ransome by the discretion of the Iustices befoze whom the said Attaint shall be taken and depending. And the Judgement of restitution to the partie grieved, suing this Act, and execution of the same, shall be had, and like iudgement for the defendant o2 tenant to be discharged of restitution, as in case of a graund Attaint hath bene vse d. 23. H.8.3.

Attaints where taken. Atturney in Attaint.

9 All Attaints shalbe taken befoze the King in his Bench, o2 befoze the Just. of the Common place, & in none other Courts. And Nisi prius shalbe granted by discretion of the Just. vpon the distress. And euerie of the said petit Jurie may appeare and answer by Atturney in the said Attaint. 23. H.8.3.

Summons & seuerance in Attaint.

10 If there be diuers plaintifes o2 demandants in an Attaint, the nonsuit o2 release of any of them, shall not be preiudiciall to the residue, but they and euery of them in such cases may be summoned & seuered, like as it is vse d, when there be diuers demandants in actions reall. 23. H.8.3. 13. Eliz.2.5.

Attaint of inheritance. He in the reuerſion may haue Attaint of a verdict given against the particular tenant.

11 The same lawes, actions, and remedy, ordained by this Act, shall be kept, for and to all them that be grieved by such vntreue verdis of any inheritance in discent, reuerſion, remainder, o2 of any frehold in reuerſion o2 remainder. 23. H.8.3. 13. El. 25. 15. H.6.5. If tenant for terme of life, in dower, o2 by the courtesie, o2 in taile after possibility of issue extinct, be impleaded, plead to Enquest, and lose by verdict, default, o2 in other maner, he to whom the reuerſion of the same lands be at the time of the Judgement, his heirs o2 successors, shall haue a writ of Attaint, to attaint the Jurie, if he will assigne the false Serement, as well in the life of the said tenants as after their death. 9. R.2.3. S. Error 1.

In what cases Attaint will lye.

12 A writ of Attaint shalbe granted, as well in plea of land of frehold, o2 any thing touching freholds, as in plea personall. 3. E.1.37. 34. E.3.7. And as wel vpon the principall, as vpon the damages in an action of trespass. And in this and in all other cases, the Iustices shall not let to take the Attaint for the damages not paid. 1. E.3.6. And Attaint shalbe granted in ples of Trespas pursued as well by bill as by writ befoze Iustices of Record, without hauing regard to the quantitie of the trespass. 5. E.3.7. 28. Ed.3.8. Nisi prius shalbe granted in Attaint, but neither Cſſoine of the R. seruice, no2 Protection, shalbe allowed therein. And five dayes in the yere shalbe given befoze the Iustices of the common Bench in the said Iuries at the least. 5. E.3.7. The partie grieved by any false verdict given in any action, suit, auowzie, prescription, title, o2 claime, made according to the Statute provided for the limitation of prescription, may haue an Attaint. 32. H.8.2.

Attaint sued by bill in the Hustings of London.

13 The partie grieved by any false verdict given in any of the Courts of the Citie of London, shall and may sue Attaint by bill in the Hustings of London, holden for common pleas befoze the Spaloz and Aldermen of the same citie, and there vpon a Wcept shalbe awarded by the same Spaloz to euery Alderman of the said Citie, o2 his deputie in his absence, to certifie the names of foure indifferent and discret persons of good fame, and euery of them of substance of a C.T. o2 more, Citizens of the same Citie, dwelling in his Ward, to the Spaloz and Aldermen of the said

said Citie, at the Hustings then next ensuing, of which persons so certified, the said Shaloe and six Aldermen, or mo, holding the same Court of Hustings, shall impanel xlvij. persons, and the Shaloe shall cause to be summoned the said xlvij. and also the Jurors of the petit Jurie, and the tenants or defendants in the said bill of Attaint to appear before the Shaloe and Aldermen in the same Citie, at the Hustings of common pleas, then next to be holden in the same Citie. And if the same Attaint happen to remaine untaken by default of Jurors, by challenge, or otherwise, upon everie Tales granted, the said Shaloe and Aldermen shall impanel the said persons which were certified by the said Aldermen, or their deputies, and omitted out of the said panell, or put therein other persons being citizens of the said Citie, and of the substance of C. l. or more. 11. H. 7. 21.

14 None of the petit Jurie, ne other parties named in any such bill of Attaint shall have any challenge to the Array, or to any person being impanelled for lacke of sufficient goods or lands. 11. H. 7. 21. And everie person being a citizen of the citie of London, and worth in goods 400. markes, may be impanelled by the Sheriffs of London in everie Attaint brought by writ, by vertue of the aforesaid Stat. of 23. H. 8. upon any verdict given by the citizens without any challenge for insufficiencie of freehold of any of them. 37. H. 8. 5.

15 All the pleas pleaded for the tenant or defendant, or by any of the Jurors of the petit Jurie in the same Attaint, and triable by any Jury, shall be tried within the same Citie, and by the Enquestes of the same, and in none other place ne Countie. 11. H. 7. 21. And the Justices upon Attaint sued by writ according to the foresaid Stat. of 23. H. 8. upon any verdict given by the citizens of London, shall sit only at the Guild hall of the same citie, or at some other place within the same citie, & there sweare the graund Jurie, and take the verdicts. And the Citizens shall not be compelled to appear in any such Attaint taken upon any untrue verdict given in London, but onely within the limits of the said citie. 37. H. 8. 5.

16 If the graund Jurie swozne in the same Attaint, find that the petit Jurie have given an untrue verdict, then the iudgement shall be given against the defendant as is used in Attaint sued by writ at the Common law. And the iudgement shall be against the petit Jurie, that every of them shall lose xx. l. or more, by the discretion of the Shaloe & Aldermen of the said Citie, keeping the Hustings, to such use as other issues and penalties bin so forfeited in any action or plaint commenced before the Shaloe and Aldermen &c. and his bodie to be imprisoned, there to remaine without baile or mainprise six monethes, or lesse, by the discretion of the Shaloe and Aldermen &c. and to be disabled for ever to be swozne in any Jurie before any Tempozall Judge. But the Iudgement in such Attaint shall not extend to any lands or tenements, ne to other punishment of the petit Jurie. 11. H. 7. 21.

17 If it be found by the graund Jurie, that the petit Jurie have given a true verdict, then the graund Jurie shall have authoritie to inquire if any of the petit Jurie received any summe of money, or other reward, or promise of money, or other reward, of the named defendants or tenants in the same Attaint, or of any other person, by the commandement, couise, or assent of any of them, for the intent of their verdict giving, whereupon the same Attaint is grounded: and after any such corruption by the said graund Jurie found, then the Juror that is so found defegative in taking &c. shall pay to the plaintife named in the same Attaint, tenne times the value of the summe, or other reward so taken, or promised, and shall suffer imprisonment without baile or mainprise six monethes, or lesse, by the discretion of the said Shaloe and Aldermen, and shall be disabled for ever, to be swozne in any Jurie, before any Tempozall Judge. And such defendant or tenant in the same Attaint, shall pay to such use as other penalties bene so forfeited within the same Citie, tenne times the value of the summe of money, or other reward, by him so given to any of

who be sufficient to passe upon Attaint in London.

where the Attaint commenced in London, shall be tried in London.

The iudgement where the petit Jurie in London is attainted.

The iudgement where the first verdict is affirmed.

Inquire of the taking of reward.

Attaints. Attorney.

of the said petit Jurie, and shal be imprisoned without baile or mainprise, during six monethes, or lesse, by the discretion of the said JPais and Aldermen. 11. H. 7. 21. S. Iurors 5.

Remedie for the debts and damages recovered in the first action.

18 If any debts & damages or costs be recovered in any action whereupon such Attaint is grounded, & by the same Attaint it be found, that the petit Jurie hath given a false Verement, then for the recoverie & restitution of the same debt, damages and costs, the plaintiffe in every Attaint shal & may sue an action of Debt against the same def. or tenant, by writ, bill, or plaint, &c. wherein no W. &c. 11. H. 7. 21.

If the plaintiffe be nonsuit, or the first verdict affirmed.

19 If any plaintiffe in any such Attaint be nonsuit, or if the first verdict there, in be affirmed, then he shall have imprisonment, and make fine by the discretion of the JPais and Aldermen &c. and that fine shall be to the JPais and Comminaltie of the said Citie. 11. H. 7. 21.

The Attaint shall not abate though one of the plaintiffes die, or be nonsuit.

20 If there be two or mo plaintiffes in any such Attaint, and any of them die, or be nonsuit, the other shall be enabled to sue for the proceeding in the same Attaint: and notwithstanding the death of the defendant or tenant, or any of the petit Jury named in the same Attaint, so that there be two of the same petit Jurie on life, the Attaint shall not abate. 11. H. 7. 21.

Attaint per Medietatem lingue.

21 Upon all Attaints commenced within the City of London upon any Record, within the trial and Enquest was by half tongue, the JPais and Aldermen shall impanel the grand Jurie, the one halfe of strangers, of good name, of gods to the value of a C. L. and more, inhabiting within the same citie at large, and the residue of Citizens of the same value. 11. H. 7. 21.

Libertie upon whether Statute the partie will sue Attaint.

22 It is at the libertie of all persons, upon an untrue Verdict given in any Courts of the Citie of London, to sue their Attaint upon the Stat. made 23. H. 8. or else upon the Stat. made 11. H. 7. at their owne pleasure. 23. H. 8. 3.

1 What challenge is allowable in Attaint sued by bill or writ in London. S. Challenge 1. 2. 3. 4.

2 What issues everie Iuror shall forfeit, which appeareth not in Attaint. S. Iurors 27.

3 Attaint by an heire within age upon a verdict past against him. S. Age 1.

4 Attaint upon a false Verdict given in the Citie of Lincolne. 13. R. 2. 18. 3. H. 5. 5.

Attorney.

Suit of Court.

Every free man which oweth suit to the County, Witting, Hundred, and Willewente, or to his Lordes Court, may freely make his Attorney to doe those suits for him. Merton 10. H. 3. 10.

A general Attorney.

2 Every man which seeketh to be impleaded before the Just. of the B. Bench, Common Place, Justices in Cite, or of Assises, or in any Countie before the Shereife, or in any Court Baron, may make a general Attorney to pursue for him in the foresaid courts to be sued by him, or against him, which Attorney hath power to proceed in the same suits, untill they be ended, or that his Master doth remove him: And yet by this they shall not be excused, but they may be put in Juries and Assises before the same Justices. West. 2. 13. Ed. 1. 10. A Commission may be granted out of the Chancerie to some sufficient man, to receive Attornies for such as be impleaded, dwelling farre off, or be unable to travell. 27. Ed. 1. And such as depart the Realm by the Kings licence, and be of good fame, may make general Attornies to appeare and answer for them in Præmunire facias, and other writs, and to make or ther Attornies under them. 7. R. 2. 14.

Suit.

3 The tenants in AUse of Nouel disseisin, may make Attornies if they will: And also they may plead by Bailiffs. Stat. Eborum. And after the tenant hath appeared

peared in Affise, Attaint, or Iuris verum, he cannot be escoined, but may make Attorney for him. W. 1. 1. 3. Ed. 1. 4. 1.

4 Every of the petit Jury in Attaint may appeare and answer by Attorney in Attaint. 2. 3. H. 8. 3. 1. 3. Eliz. 2. 5.

5 The Appellant in any appeal of Murder, or death of a man, where Battell by the course of the common Law lyeth not, may make his Attorney, and appeare by the same in the said appeal, after it is commenced, to the end and execution of the same. 3. H. 7. 1.

6 The defendants may make Attorneys in such suites where appeal lyeth not: so that if they be attainted in their absence, the Shirefe shall be commaunded to take them, and then they shall receive the punishment that they should have had, if they had been present when the iudgement was given. Gloucett. 6. Ed. 1. 8.

7 So Under Shirefe, Shirefes clarkes, Shirefes receiver, or Bailife, shalbe Attorney in any of the Kings Courts for the time he is in Office with any such Shirefe. 1. H. 5. 4.

8 So Steward, Bailife, or Officer of any Lord of a Franchise, which hath retourne of writs, shall be Attorney in any plea within the same franchise. 4. H. 4. 19.

9 If any Baron of the Exchequer, or Justice, or any of their Clarkes or Officers, shall receive any Attorneys but onely in the pleas and suits depending before them and their fellowes, and in the Courts where they are assigned, the same admission is void. Carlile. 15. Ed. 2.

10 Every Justice of the one Bench and the other, and also the chiefe Baron of the Exchequer, have authoritie to examine outlawed persons which be sicke of any disease openly known, and to recozd Attorneys for them: But in a writ of Capias ad satisfaciendum, the common Law holdeth place. 7. H. 4. 13.

11 If any Attorney be openly found in default by recozd, or otherwise, he shall forswere the Court, and neuer after be allowed to prosecute any suit in any of the Kings Courts. And every Attorney shall be swozne truly to serve in their offices, and specially to make no suit in any foreine Countie. 4. H. 4. 18.

12 In all suits wherein proces of Capias & Exigent lyeth, if the Attorney have not his warrant of recozd, the same Terme that the Exigent is awarded, he shall lose it. to the king, if he be attainted thereof by examination of the Justices. 18. H. 6. 9.

13 Every such person which shall be Attorney for any other person or persons being demandant or plaintife, tenant or defendant, in any action or suit commenced in any of the Quenes Courts of Recozd at Westminister, and plead to an issue in the same, shall deliver, or cause to be delivered, his lawfull warrant of Attorney to be entred of recozd for every of the said actions or suits wherein he is named Attorney, to the officer or his deputy or deined for the receipt or entring therof, in the same Terme, when the said issue is entred of recozd in the said Court, or before, upon paine of forsaiking ten pounds for every default for not delivering of the said warrant: The one moiety to the quene &c. the other to such officer to whom, or in whose office the same warrant should be delivered &c. to be recovered by Action, B. 3. &c. wherein no W. &c. C. or D. &c. And also further shall suffer such imprisonment, as by the discretion of the Justices of the Court (where any such default shall be made) shall be thought convenient. 3. 1. H. 8. 30. 2. Ed. 6. 32. 18. Eliz. 1. 3.

14 If any person or persons shall be sued, or inforced against, upon any penall Law, in any of the Courts of the Kings Bench, Common pleas, or Exchequer, where such person or persons are baylable by law, or where by the leane or forme of the

Appeal.

Suits where-
in Appeal
lyeth not.

Shirefes offi-
cers shall not
be Attorneys.

These offi-
cers shall not
be Attorneys.

None shall re-
ceive Attor-
neys, but in
suits depen-
ding before
him.
Attorneys
for outlawed
persons dis-
cused.

The punish-
ment of Attor-
neys found in
default.
Attorneys
oath.
Warrant of
Attorney en-
tered of recozd.

when the At-
torney shall
enter his war-
rant.

The defen-
dant in suits
upon penall
Statutes may
appeare by
the Attorney.

Attorney. Auditor and Receiour.

the Court such person or persons may appeare by Attorney: in all and euery such cause the person or persons so to be impleaded, shall and may at the day and time contained in the first proces serued for his apparance, appeare by Attorney of the same Court where the proces is returnable, to answer and defend the same, and not be vjged to personall apparance, or to put in baille for the answering of such suit: any former law &c. notwithstanding. 29. Eliz. 5. The same branch of the said Act shall extend, and shall be interpreted to extend onely to the naturall Subjects bozne, or to be bozne within the dominions of the Qu. her heires and successors, and to persons made free Denizens, and to no others: Any thing therein contayned &c. notwithstanding. 31. Eliz. 10.

Attorney shall haue Ticket. 15. No Attorney, Sollicitor, or Seruant to any shalbe allowed from his Client, or Master, of, or for any fee giuen to any Sergeant, or Counsellor at law, or of, or for any summe or summes of money giuen for Copies to any Clerke, or Clerkes, or Officers in any Court or Courts of Record at Westminster, vntlesse he haue a Ticket subscribed with the hand and name of the same Sergeant, or Counsellor, or Clerke or Clerkes, or Officers aforesaid, testifying how much he hath receiued for his fee, or giuen, or paid for Copies, and at what time, and how often: And all Attornies, and Sollicitors, shal giue a true Bill vnto their Masters, or Clients, or their assignes of all other charges, concerning the suits which they haue for them, subscribed with his owne hand and name, before such time as they, or any of them shall charge their Clients with any the same fees, or charges: And if the Attorney or Sollicitor do, or shall, willingly delay his Clients suits to worke his owne gayne, or demaund by his Bill any other summes of money or allowance vpon his accompt of any money which he hath not laied out, or disbursed: in euery such case, the partie grieved shall haue his action against such Attorney, or Sollicitor, and recover their costes and treble damages. And the said Attorney and Sollicitor shall be discharged from thenceforth from being an Attorney or Sollicitor any more. 3. Iac. 7.

A Bill of charge.

Delaying a suit, or demanding more then is due.

who only shall be Attornies. 16. None shal from henceforth be admitted Attornies in any the Kings Courts of Record aforesaid, but such as haue bin brought vp in the same Courts, or otherwise well practized in solliciting of causes, and haue bin found by their dealings to be skilfull, and of honest disposition: And none to be suffered to sollicite any cause or causes in any the Courts aforesaid, but onely such as are knowen to be men of sufficient and honest disposition. And no Attorney shall admit any other to follow any Suite in his name, vpon paine that both the Attorney, and he that followeth any such suit in his name, shall each of them forfait for such offence xx. li. to the Qu. and the partie grieved, to be recovered in any of the said Courts of Record by A. B. P. J. wherein no C. M. or P. &c. And the Attorney in such case shall be excluded from being an Attorney for euer thereafter. 3. Iac. 7.

Following of a suit in another name.

1. How many Attornies may be in Norfolk, Suffolke, and Norwich, See 33. H. 6. 7.

Auditour and Receiuer.

The Audite shall be proclaimed.

Euery of the Kings Auditours of the Exchequer, Duchie of Lancaster, and Court of Wards and Lineries, shall yearly proclaime and declare in euery County within their severall limits, in thre or foure Market Townes, or other places, by the space of xx. dayes before the Audite, when and where they will kepe their audits in the same shire, or they shall forfait five pounds for euery offence to the King and A. to be recovered by A. J. &c. wherein no C. M. or P. &c. 33. H. 8. 39. Sec. Accompt to the king 12.

2. If any Auditor of the Exchequer, Duchy of Lancaster, or Court of Wards and

and Lineries, or any of his Clarkes, or other to their or any of their use, shall take for the inrolment of any Letters patents, decrees of the same Courts, graunts, or Indentures of leases, or for the allowance of the same, above iij. s. iij. d. he so offending shall forfeit vij. s. viij. d. for every peny which he taketh above the foresaid summe, to the King and the Informer &c. to be recovered by A. J. &c. wherein no writ. &c. &c. &c. And if any person do offer to any such Auditor any such Letters patents, decrees, leases &c. to be inrolled, he shall inroll the same, or as much thereof as shall appertain to his office. 33. H. 8. 39.

Auditors fees for inrolment.

3 Every Receiuer of the Erchequer, Duchy of Lancaster, and Court of Wardes and Lineries, which shall pay to any person an Annuitie, pencion, or other rent, shall (if the same person vpon the receipt thereof will deliuer vnto him a sufficient Acquittance, sealed & signed, testifying the same receipt) receiue the same, without taking any reward therof, vpon paine to forfeit for every peny or peny worth receiued vij. s. viij. d. And if the partie doe not deliuer such a sufficient acquittance, but that the Receiuer, or his Clarke doth make the same, he shall haue therof iij. d. and if he take above iij. d. he shall forfeit for every peny or peny worth so taken vij. s. viij. d. And if any Treasorer, Receiuer, or minister accomptant, or their deputies, which shall pay to any person any fee, annuities, pencion, dutie, warrant, or rent, do retaine, receiue, or take of the partie, to whom he shall pay the same, in way of reward, or otherwise, above iij. d. for every pound that he shall pay, he shall forfeit vij. s. viij. d. for every peny or peny worth which he shall receiue ouer, to the partie grieved, to be recovered by A. B. or P. wherein no writ. &c. &c. 33. H. 8. 39. 7. Ed. 6. 1. S. Accomptants &c. to the king.

What fees every Receiuer shall take.

1 The kings Receiuers shall enter into bond with suerties to accompt &c. S. Accompt to the king 10.

2 For the Auditors and Receiuers precepts to Bailifes accomptants. See Accompt. &c. 11. 12.

3 At what time the kings Receiuers shall accompt, and what they shall make payment. S. Accompt &c. 16. 17. 18.

4 When Auditors may commit accomptants to prison. S. Accompt 2.

Auowrie.

Vheresoeuer any manors, lands, tenements, and other hereditaments be holden by any person or persons by rents, customs, or seruices, if the Lord of whom any such manours, lands, tenements, or hereditaments be so holden, distraine vpon the same lands, for any such rents, customs, or seruices, and replewin thereof be sued, the Lord of whom the same lands, &c. be so holden may auow, or his bailife or seruant make consufance, or iustiffe, for taking the said distresse vpon the same lands, tenements, or hereditaments so holden, as in lands &c. within his fee or feignior, alleading in the said auowry, consufance, & iustification, the same lands &c. to be holden of him without naming of any person certaine to be tenant of the same, and without making any auowrie, iustification, or consufance vpon any person certaine. And likewise the Lord, bailife, or seruant shall make auowry, iustification, or consufance in like manner and forme, vpon euery writ sued of Second deliuerance. 21. H. 8. 19.

Auowry vpon the land without naming any person.

2 Every Auowant, and other person and persons, that make any such auowry, iustification, or consufance, as bailife or seruant to any person or persons in any Replegiare, or Second deliuerance, for rents, customes, seruices, or for damage feasant, or other rents, vpon any distresse taken in any lands, or tenements, if the same auowrie, iustification, or consufance be found for them, or the plaintife in the same be nonsuit, or otherwise barred, then they shall reconer their damages and costes

Auowry vpon the land in Second deliuerance. Auowant shall reconer costes and damages against the plaintife.

Ag.

against

Auowrie. Auowson.

against the said plaintifes, as the same plaintifes should haue done if they had recovered therein against the said defendants. 21. H. 8. 19. S. Damages 8.

Such pleas & ayde prayer, as shal be at the common law.

3 The said plaintifes and defendants in the said writs of Replegiare and Second deliuerance, and in euerie of them, shall haue like pleas, and like ayde prayer in all such auowries, conusances, and iustificacions, (pleas of Disclaimer onely except) as they might haue had befoze the making of this Act, as though the said auowry, conusance or iustification had bin made after the due order of the common Law. 21. H. 8. 19.

Forning in order.

4 All such persons as by the order of the Common Law may lawfully ioyne to the plaintifes or defendants in the said writs of Replegiare or Second deliuerance, aswell without proces, as by proces, shall ioyne vnto the said plaintifes or defendants, aswell without proces, as by proces, and haue like pleas, and like aduantage in all things, (Disclaimer onely except) as they might haue done by the order of the common Law befoze the making of this Act. 21. H. 8. 19. See Repleuin.

1 Auowry for rents after the estates in the same rents be determined. S. R. c. 1. 2. 3

Auowson.

Usurpation during partition of estates.

Whereas for Auowsons of Churches there be but three originall writs, that is to say, one writ of Right, and two of possession, which be Darreine presentment, and Quare impedir, and hitherto it hath bin vsed in the Realme, that when any hauing no right to present, had presented to any Church whose Clerke was admitted, he that was verie Patron could not recover his Auowson, but onely by a writ of Right, which should be tried by Battaille, or by great Assise, whereby heires within age, either by fraud, or else by negligence, of their Wardens, and heires, both of great and meane estate, either by negligence, or else by fraud of tenants by the Curtesie, tenants in Dowter, or otherwise for terme of life, or for yeares, or in fee tails, were many times dispirited of their Auowsons, or at the least (which was the better for them) were wriuen to their writ of Right, in which case hitherto they were without remedie: It is provided, that such presentments shal not be preiudiciall to the right heires, or to them vnto whom such Auowsons ought to reuert after the death of other persons: for as often as any hauing no right, doth present vnto a Church during the wardship of any heire within age, or during the interest of tenant by the curtesie, in dowter, tenant for terme of life, or yeeres, or tenant in taile, by the fraud or negligence of the wardens of the same heire, or of any of the aforesaid tenants, the same presentation shal not be so preiudiciall to the same heire, or to him to whom the reuersion shal come, after the death of any of the aforesaid tenants, but that after the heire shal come to his full age, or the Church become boyd after the death of any of the aforesaid tenants, he to whom the same belongeth, shal haue the same action and recovery by possellary writ to recover the Auowson, as the last auncestre of such heire being of full age in the last auowdance falling befoze his death, or befoze the demise was made for a terme, or in taile, should haue had. And the like remedie is to be had of presentations made to Churches of the inheritance of twines, during their couerture. Also bishops, archdeacons, parsons of Churches, & other Ecclesiasticall persons shal haue remedie by this Statute, if any man hauing no right do present vnto Churches belonging to their spirituall dignities or Parsonages, during the vacation of such dignities, parsonages &c. West. 2. 13. Ed. 1. 5.

Usurpation during vacation.

Judgements given shall be auoyded by lawfull means & not by surmises.

2 But this Statute shal not be vnderstood so largely, that the aforesaid persons for whose remedie it was ordained, shall haue their recovery by surmising that the said wardens or tenants did fainedly defend the suit moued by, or against them: for iudgements giuen in the Kings Court, shal not be adnulled vntill they be defeated

seated by Error, Attaint, or Certificate, which shall be freely graunted. Westm. 2. 13. Ed. 1. 5.

3 If it happen after the death of the auncester which presented, that the same Auowson be assigned in dower, or holden by the curtesie, and those tenants present, and after their death the right heire be disturbed to present, it is in his election, whether he will haue a Quare impedit, or Assise of Darrein presentment: And in like sort it is of Auowsons demised for terme of life, yeares, or in taile. West. 2. 13. Ed. 1. 5.

4 If a man do suffer a recouerie of a Manor whereunto an Auowson is appendant, he that doth recouer the same, shall haue a Quare impedit vpon a disturbance, as he, against whom the recouerie was, might haue had. 7. H. 8. 4.

5 If there be agreement made betwixt severall persons which doe claime the Auowson of a Church, and inrolled before the Iustices, or by a fine, in this manner, That the one shall first present, and at the next auoydance an other, and at the thirde, a thirde, and so further, and when one hath presented for his turne, according to the agreement, & at the next auoydance he to whom the second presentation belongeth, is disturbed by any that was partie vnto the agreement, or some other in his stead, he that is disturbed shall not need to sue a Quare impedit, but shall haue recourse to the Koll, or fine, and if the agreement be there found, he shall haue a Scire facias to warne the disturber to appeare within xv. dayes, or thrie weekes, according to the distance of the place, to shew if he haue any thing to say why the partie disturbed should not recouer his presentation. And if he appeare not, or do appeare, and can say nothing why the party disturbed should not recouer his presentation, by reason of any deed after the agreement made or inrolled, or the fine, he shall recouer his presentation with his damages. Westm. 2. 13. Ed. 1. 5.

6 When an Auowson descendeth vnto Parceners, though one present wisely, & vrsurpeth vpon his coheire, yet he that was negligent shall not be clerely barred, but an other time shall haue his turne to present when it falleth. West. 2. 13. Ed. 1. 5.

7 If the defendand doe except in Assise of Darrein presentment, or Quare impedit, that the Church is full of his owne presentation, the suit shall not remaine by reason of that plenarie, so that the writ be purchased within six Moneths, though he cannot recouer his presentation within six Moneths. Westm. 2. 13. Ed. 1. 5.

8 Damages shalbe awarded for two yeares value of the Church, in a Quare impedit and Darrein presentment, if six Moneths do passe by any mans disturbance, so that the Bishop do conserre, and the verie Patron doth lose his presentation for that time: And if the disturber haue not wherewith to restore damages, he shalbe two yeares imprisoned. If the six Moneths be not past, but the Auowson is recovered within that time, then damages shalbe awarded to halfe a yeres value of the Church, and the disturber shalbe halfe a yere imprisoned. Westm. 2. 13. Ed. 1. 5. S. Prerogative 9.

9 When the parson of any Church is disturbed to demaund Tithes in the next Parish by a writ of Inducavit, the Patron of the Parson so disturbed shall haue a writ to demaund the Auowson of the Tithes in question. And when it is disproved, the suit shall so farre forth proceed in the Spiritual Court, as it was disproved in the Kings Court. West. 2. 13. Ed. 1. 5. See there that writs will lie of Chappels, Prebends, Vicarages, Hospitals, Abbeys, Priories, and other houses, which be of other mens Auowsons.

Badger, Lader, Carrier, Drouer.

If any Licence shall be made to any Badger, Lader, Bidder, or Carrier of cozne, Drouer of cattell, buyer or transporter of cozne & graine, butter or chese, other-
A. ij. wise

Remedy for a disturbance after a particular estate ended.

The recouerer shall haue a Quare imp' of the Auowson.

Presentation by composition.

Usurpation by Parceners

Plenarie of the defendants presentment.

Damages in Quare imp' or in Assise of Darrein presentment.

Badger, Lader, Carier, Drouer. Bankrupts.

To whom &
whereas Bad-
gers licence
shalbe made.

wise then in the generall and open A. Sessions of the peace holden in the shire where the party admitted, assigned, or allowed doth, & by the space of iij. yeares before the Teste of his licence, hath dwelled, or other then to such person as is, or hath bene married, is a houtholder, no houthold seruant or retainer, & thirty yeres of age at the least, or to haue continuance for moze then one yere, or which beareth not date the day and place where the Sessions be holden, or is not signed and sealed with the hands and seales of thre Iustices of the peace, being present at the same Sessions at the least, whereof one to be of the Quorū, the same licence shalbe void, and the party which taketh the same shall forfeit five pounds to the A. and J. to be recovered by A. J. &c. wherein no T. &c. or J. &c. 5. Eliz. 12. 13. Eliz. 25.

Licence to
buy cozne out
of a Market.

2 No person shall upon paine of v. l. to be forfeited and recovered as is aforesaid, by authoritie of such licence buy any cozne out of open faire or market to sell the same againe, except he be thereunto specially licensed by expresse words in his licence. 5. Eliz. 12. 13. Eliz. 25.

Licences and
recognisances
shalbe regi-
stred.

3 All licences made to the said Badgers, Laders, Drouers, &c. and all recognisances taken of them by the Iustices of peace in their Sessions (that they shall not doe any thing contrary to the Statute of 5. Ed. 6. 14. provided against forswal- lers) shall be made and written by the Clerke of the peace of the same Countie, or his Deputie, and none other person, & the Clerke shall haue 12. d. for the licence, and 8. d. for the recognisance, and for the registering of them both 4. d. at the most, for which fee the Clerke or his deputie shall keepe a Register booke, and therein shall write the names, surnames, & dwelling places of such as be licensed, with a briefe entry of the licence, and of the day, time, and place where it was granted, which booke he shall bring to every Sessions that it may appeare what number of licen- ces be granted. 5. Eliz. 12. 13. Eliz. 25.

Purueiozs
for cities and
towns corpo-
rate.

4 This Act shall not extend to preiudice the liberties of any City or Towne corporat, but euery of them may lawfully assigns and licence purueiozs for the pro- uision of the same city or town corporat, as they might haue done before &c. neither shall this Act be preiudiciall to the inhabitants within the Counties of Westmer- land, Cumberland, Lancaster, Chester, Poole, or any of them, but they may doe as they haue vsed to doe. 5. El. 12. 13. El. 25. S. Forstallers. Iustices of peace 32. 33.

Bankrupts.

witho shalbe
adjudged a
Bankrupt.

All and euery person and persons, being, or that shall vse the trade of Merchant, or by way of bargaining, exchange, bartrie, cheuisance, or otherwise, in grosse, or by retails, or seeking his, her, or their trade of lyuing by buying and sel- ling, and being a Subject borne of this Realme, or any the Kings dominions, or denizen, who at any time sithence the first day of this Parliament, or at any time hereafter shall depart the Realme, or begin to keepe his or her house or houses, or otherwise to absent him, or her selfe, or take Sanctuary, or suffer him, or her selfe willingly to be arrested for any debt, or other thing, not growen or due for money deliuered, wares sold, or any other iust or lawfull cause, or good consideration or purpose: or hath, or will suffer him or her selfe to be outlawed, or yield him or her selfe to prison or willingly or fraudulently hath, or shall procure him, or her selfe to be arrested, or his or her goods, money, or chattels to be attached or sequestred, or de- part from his or her dwelling house, or make or cause to be made any fraudulent grant or conueiance of his, her, or their lands, tenements, goods, or chattels, to the intent, or whereby his, her, or their creditozs being Subjects borne as aforesaid, shall or may be defeated, or delaied, for the recouerie of their iust and true debts: or being arrested for debt, shall after his or her arrest, lie in prison vij. moneths or moze upon that arrest, or upon any other arrest, or detention in prison for debt, and lie in prison

prison fire moneths vpon such arrest or detention, shalbe accomped and adiudged a Bankrupt to all intents and purposes. And the like Commissions, Orders, Benefits, & remedies which are & be provided & limited by the statut made An 13. El. 7. against any Bankrupt therein described, or for, or concerning his, her, or their lands, tenements, hereditaments, fees, annuities, offices, goods, cattels, wares, merchandizes, and debts, or any of them, shalbe had, pursued, taken, & expounded against such person and persons that are herein expessed to be Bankrupts, his, her, or their lands, tenements, hereditaments, fees, annuities, offices, goods, cattels, wares, merchandizes, and debts, in such like maner and forme, as the same ought or might haue bene, if the persona herein described to be bankrupts, had bin described to be Bankrupts according to the intent of the said former statute. 1. Jac. 15.

2 The Lord Chancellor, or keeper of the great Seale, vpon complaint to him made in writing, against any such person being Bankrupt as is aforesaid, hath authority by Commission vnder the great Seale, to assigne such honest & discreet persons, as shall seeme to him good, who, or the most part of them shal haue authority to take such order with the body of such person, wheresoeuer he or she may be had, either in house, or manuarie, or else where, as well by imprisonment of his body, as with his lands, tenements, and hereditaments, as well copie or customarie hold as freehold, which he shall haue in his owne right before he became Bankrupt, as also with all such lands, tenements, and hereditaments, as he hath purchased or obtained for money or other recompence, ioyntly with his wife, child, or children, to the only vse of such offendor, or of, or for such vse, interest, right, or title, as such offendor then shall haue in the same, which he may lawfully depart withall, or with any person or persons of trust to any secret vse of such offendor: And also with his money, goods, cattels, wares, merchandizes, & debts wheresoeuer they may be found or knowen, and cause the said lands, tenements, fees, annuities, offices, goods, cattels, wares, merchandizes, and debts to be searched, viewed, counted, & appraised to the best value they may, & by deed indented, inrolled in one of the Courts of Record, to make sale of the said lands, tenements, & hereditaments, and of all debts, euidences, and writings, touching onely the same, belonging to any such offendor or debtor, & also of all fees, annuities, offices, goods & cattels, or otherwise to order the same for the true satisfaction & paymēt of the same creditors, that is to say, to euery of the said creditors a portion, rate and rate like, according to the quantity of his debts. And enery direction, order, bargain, sale, & other things done by the said persons so authorized, as is aforesaid, in forme aforesaid, shalbe good in law to all intents against the said offendor or debtor, his wife, heires, and children, and such persons, as by such ioynt purchase with the offendor, shall haue any estate or interest in the premises, and against all other persons claiming by, from, or vnder such offendor or debtor, by any Act, had, made, or done, after he shall become Bankrupt as is aforesaid, and also against the Lords of the manors, wheresof the said Copyhold or Customarie lands be holden, their heires, successors, and assignes, and euery of them. 13. Eliz. 7.

3 All persons to whom any such sale of Copyhold or Customarie lands shal be made, shall (before they shall enter or take any profit of the same) compound with the Lords of the manors, of whom the same shal be holden, for such fines or income as heretofore hath bin accustomed to be paid theretofore. And vpon euery such composition, the said Lords at the next court to be holden, at, or for the said manors, shall not only graunt vnto the said vendee or vendees vpon request, the same Copy or Customarie lands, by copy of Court roll of the same manors, for such estate or interest as to them shalbe so sold, and reseruing the antient rents, customs, and seruices: But also in the same Court admit them tenants of the same copy or customarie lands &c. as other copyholders of the same manors haue been wont to be admitted

Commissioners
that take order
for bankrupts
bodies, lands,
and goods.

Vendees of
copyholds shal
compound
with the Lords
of the manors.

Bankrupts.

Commissioners
shall declare
how they haue
bestowed the
Bankrupts
goods &c.

Examination
of such as
haue Bank-
rupts goods
or be indebted
to them.

Fraudulent
possessing of
Bankrupts
lands & goods

admitted, and to receive their fealtie accordingly. 13.Eliz.7.

4 Such of the said Commissioners as shall put the said Commission in execution, shall upon lawfull request to them made by the said Bankrupts, not only make a true declaration to the same Bankrupts of the imploying and bestowing of their said lands, tenements, offices, fees, goods, cattels and debts so paid to their sayd creditors, but also make payment of the ouerplus of the same (if any such shalbe) to the sayd Bankrupts, their executors, administrators, or assigns. 13.Eliz.7.S.10.

5 If after any such act or offence committed, and complaint thereof made to the said commissioners, or the more part of them by any partie grieved, as is aforesaid, concerning the premises, knowing, supposing, or suspecting any of the goods, cattels, wares, marchandizes, or debts of such offender or debtor, to be in custodie, vse, or possession of any person, or any person indebted to any such offender, doe make relation thereof to the said Commissioners, or the more part of them: Then the said Commissioners, or the more part of them, haue full power to send for, and call before them by such forces, meanes, or waies, as they shall thinke convenient euerie such person so knowne, suspected, or supposed to haue any goods, debts, &c. in his custodie &c. or supposed to be indebted to such offender, and vpon his appearance to examine him as well by his oath as otherwise, by such meanes as the said Commissioners or &c. shall thinke meet for and vpon the specialtie, certaintie, true declaration, and knowledge of all and singular such goods, and debts of any such offender as be suspected to be in his custodie, vse, occupation, or possession, and all such debts as by himselfe shall be supposed to be owing to any such offender. And if any such person vpon such examination doe not disclose plainly and declare the whole truth of such things as he shalbe examined of, concerning the premises to his knowledge, or do denie to sweare: Then euerie such person denying to sweare, or being examined do not declare the whole truth concerning the premises, vpon due proofe thereof to be made, before the said Commissioners, or &c. by witnesse examination, or otherwise, as to the same Commissioners, or &c. shall seeme sufficient, shall forfeit the double value of all such goods, cattels, wares, marchandizes, & debts, by them so concealed, & not plainly & wholly declared: which forfeiture shalbe leuied by the said Commissioners, or &c. of the lands &c. goods &c. of such person so denying to sweare, or not disclosing the whole truth by such meanes, & in such manner & forme, as is before limited for the principall offender, the same forfeit to be imployed to & for the satisfaction of the debts of the said creditors, in such like manner rate & forme, as is aboue declared, concerning the ordering of the lands & tenements, offices, fees, goods, and cattels of such offender or debtor, as is aforesaid. 13.Eliz.7.S.16.

6 If at any time before or after that any such person departeth the Realme, or shall keepe his house, or otherwise absent himselfe, or take sanctuary, or suffer himselfe to be arrested, outlawed, or yield his body to prison, any person so fraudulently by couin claime, demaund, recover, possesse or detain any debts, duties, goods, cattels, lands, or tenements, by writing, trust, or otherwise, which were or shal be due or appertain to any such offender, other then such as he can & doth proue to be due, by right & conscience in forme aforesaid, for money paid, wares deliueled, or other in consideration to the iust value thereof, before the said Commissioners or &c. and the same to proceed (bona fide) without fraud or couin, then euery such person so craftily demeaning, clayming, hauing, or possessing any such debt, shall forfeit double as much as he shall so claime, demaund, detain or possesse, which said forfeit shall be leuied, recovered, and imployed in manner and forme before reheated. 13.Eliz.7.

7 If it shall fortune the creditors of any such Bankrupt to be satisfied and paid of their debts and duties, of, or with the proper lands, goods, and debts of the sayd Bankrupts

Bankrupts, or of, or with the same, and some part of the sort. of the said double values, to be forfeited as is aforesaid, and that there shall remaine an ouerplus of the said sort. of the said double values, then the one moiety of the said ouerplus shall be by the said Commissioners so executing the said Commission within convenient time after the leuying thereof, paid vnto the A. &c. and the other moiety shall be distributed amongst the poore within the Hospitals in every City, Towne, or County, where any such Bankrupt shall happen to be. 13. Eliz. 7.

8 If any such person indebted, do of purpose withholde himselfe from his vsuall mansion house, then vpon complaint thereof made to the said Commissioners, the same Commissioners or the moze part of them haue full power to award sue Proclamations, to be made in the A. name vpon sue sundry market dayes, in such places nere the place where such bankrupt hath most commonly dwelled, or made his abode, commanding him by the same Proclamations in the A. name, to returne with all convenient speed, and to yeld his body before the said Commissioners, or one of them, at such time and place, as by the said Proclamation shall be appointed. And if the said person do not according to such Proclamation repaire and yeld his body as is aforesaid, then the body of every such offender shall be adjudged to all intents out of the A. protection. And also every person that shall wilfully and wittingly helpe to hide or conuey, or shall willingly and wittingly receiue, detaine, or keepe secretly any person so demanded by Proclamation, shall suffer such paines by imprisonment of his body, or pay such fine to the A. name, her heirs and successors, as to the Lord Chancellor, or Lord Keeper &c. (being informed thereof by the Commissioners, or the moze part of them) shall seeme convenient for his said offence. 13. Eliz. 7.

9 If the Creditors of any such offender or debtor &c. be not fully satisfied or therwise contented for their debts and duties by the meanes before specified, then the said Creditors and every of them, shall and may haue their remedy for the recovery and leuying of the residue of the said debts or duties, whereof they shall not be fully satisfied in forme aforesaid, against the said offender, in like manner & forme, as they should and might haue had before the making of this Act. And the said Creditors and every of them shall be onely barred and excluded by vertue of this Act, of and for every such part of the said debts and duties, as shall be paid or deliuered vnto them, by order of the said persons as is aforesaid, and of no moze portion or parcel thereof. 13. Eliz. 7.

10 If any person declared to be a Bankrupt by this Act, shall at any time after purchase any lands, tenements, hereditaments, free or copie, offices, fees, goods, or cattels, or that any such shall descend, reuert, or by any meanes come to him, before his debts due to his Creditors shall be fully paid, or otherwise agreed for: When the same lands, goods, cattels, &c. shall by the said Commissioners, or the moze part of them be bargained, sold, extended, deliuered, and used for, and towards the payment of the said Creditors, in such like manner as other the lands, cattels, &c. of the said Bankrupts which they had, when they were declared first to be Bankrupts, should or might haue bin by vertue of this Act. 13. Eliz. 7.

11 This Act shall not extend to any lands, tenements, or hereditaments, free, or copyhold, which shall be assured by any Bankrupt, before he become Bankrupt, so alwaies that such assurance be made (bona fide) and not to the use of the Bankrupt himselfe onely, or of his heirs, and that the parties to whose use such assurance shall be made, be not, at, or before the making of such assurance, priuily or consenting to the fraudulent purpose of any such Bankrupt to deceiue his Creditors. 13. Eliz. 7.

12 It shall be lawfull for any of the creditors of the said Bankrupt within foure months after such Commission shall be sued forth, & vntill distribution shall be made by

When the ouerplus of the forfeiture shall be imployed after the creditors payed.

A remedy for him which departeth from his house.

Conueying or hiding him which is demanded by Proclamation.

A remedy for the creditors which be not fully satisfied, according to this statute.

Extending of lands & goods descended vnto or purchased by a Bankrupt.

Lands conveyed away before he became Bankrupt.

Bankrupts.

**How credi-
tors may par-
take with the
bankrupt.**

by the said Commissioners for the payment of the Bankrupts debt, as in such case hath bin used, to partake and ioyn with the other creditors, that shall sue forth any such Commission, for satisfaction and payment of his, her, or their debts, to him or them owing, without any hinderance, let, or disturbance of any of the same Commissioners, or of any of the other creditors of any such bankrupts, the same creditors so coming in to contribute to the charges of the said Commission. And if the Creditors come not within foure months, then the Commissioners to haue power to distribute. 1. Jac. 15.

**Transferring
of lands, goods,
or debts, into
others names.**

13 If any person which hereafter is or shall be a Bankrupt, by the intent of this statute, shall conuey, or procure, or cause to be conueyed to any of his children, or other person or persons, any manors, lands, tenements, hereditaments, offices, fees, annuities, leases, goods, chattels, or transference his debts into other mens names, (except the same shall be purchased, conueyed, or transferred, for, or upon marriage of any of his, or their children, both the parties married being of the yeres of consent, or some valuable consideration) it shall be in the power and authority of the Commissioners on this behalf to be appointed, or the more part of them, to bargain, sell, graunt, conuey, demise, or otherwise to dispose thereof, in as ample manner, as if the said Bankrupt had been actually seised or possessed thereof, or the debts were in his owne name, or the like estate or interest to his or their owne use, at such time as he or she became Bankrupt. And every such graunt, bargain, sale, conueyance, and disposition of the said Commissioners, or of the greater part of them, shall be good and auailable to all intents, constructions, and purposes in law, against the offender or offenders, his heires, executors, administrators, or assignes, and such children and persons as shall be subiect to this statute, and against all other person and persons claiming by, from, or vnder such offender or offenders, or such said other persons to whom such conueyance shall be made by the said Bankrupt, or by his meanes or procurement. 1. Jac. 15.

**Proclaiming
e apprehen-
ding a Bank-
rupt.**

14 The said Commissioners may call before them, or the greater part of them, the said Bankrupt: and if upon lawfull warning made or left in writing at thre severall times at the dwelling place or house where the said Bankrupt, his wife, or family, for the most part of his abode did lodge or remaine, within one yeare before he, she, or they became Bankrupt, the said Bankrupt shall not appeare before the said Commissioners, or the greater part of them: Then and from thenceforth it shall be lawfull for the greater number of the said Commissioners to appoint to proclaim the said partie a Bankrupt, at such publike place, or places, where the said Commissioners, or the greater number of them shall thinke meete, warning him, her, or them to appeare before them upon the said Commission at some time appointed. And if upon five severall proclamations made in some publike place, the party offending appeare not before the said Commissioners, and yield his, her, or their bodies to them, or some of them: the said Commissioners, or the greater part of them shall or may award a warrant to such fit person or persons as they shall thinke meete and requisite, to apprehend the body and bodies of the said offender or offenders, and to bring him, her, or them so offending, before the said Commissioners, wheresoever the said party or parties offending may be found, in place prini- ledged, or not, to be examined by the said Commissioners, or the greater part of them. 1. Jac. 15.

**Examination
of a Bank-
rupt.**

15 It shall be lawfull for the said Commissioners, or the greater part of them, to examine the said offender or offenders, upon such interrogatories, touching the lands, tenements, goods, chattels, debts, bills, bonds, bookes of accompt, and such other things as may tend to disclose his, her, or their estate, or the secret graunts, conueyances, and eloining of his, her, or their lands, tenements, goods, money, and debts, as they shall thinke meet. And if therein the offender or offenders shall refuse

refuse to be examined, or to answer fully to every interrogatorie to him to be ministered by the said Commissioners, or the greater part of them, It shall be lawfull for the said Commissioners, or the greater part of them, to commit the said offender or offenders to some strait or close imprisonment, there to remaine, untill hee, shee, or they shall better consoyme him or her selfe. And if upon his, her, or their examination it shall appeare, that hee, shee, or they haue committed any wilfull or corrupt perurie, tending to the hurt or damage of the creditors of the said Bankrupt, to the value of 5. l. of lawfull money of England, or aboue, the partie so offending, shall or may thereof be indited in any of the Kings Courts of Record, and being lawfully conuicted thereof, shall stand vpon the pillorie in some publicke place by the space of two houres, and haue one of his eares nailed to the pillorie, and cut off.

1. Jac. 15.

16 If any person or persons being knowne, supposed, or suspected to haue or detain any part of the lands, tenements, or hereditaments, goods, chattels, or debts of the said Bankrupt, or to be indebted to or for the benefit of the said Bankrupt, shall after lawfull warning to the said person or persons giuen, to come before the said Commissioners, or the greater part of them, to be examined according to the intent of the said Statute, refuse to come, or shall not come before the said Commissioners at the time appointed, hauing no lawfull impediment (such as shall be admitted and allowed of by the said Commissioners, or the more part of them, and which shall be then signified or made knowne to the said Commissioners, at the time of their assembly) or that any such person or persons hauing knowledge or warning of any other assembly or meeting of the said Commissioners againe, shall not come and appeare before them, at such time as hee or shee lawfully may come, hauing no such lawfull impediment as shall be then made knowne to the said Commissioners, and by them admitted and allowed of as is aforesaid: or being come before them, shall refuse to be swoyne, and to make answer to such interrogatories as shall be ministered vnto him, or them, according to the true meaning of the said Statute made 13. El. of this Act: When it shall be lawfull for the said Commissioners, or the greater part of them to commit to such ward and prison, as to them or the greater part of them shall be thought meet, all such person and persons as shall so refuse to be swoyne and make answer to such interrogatories as shall be so ministered, as is aforesaid, and also to direct their warrants to such person or persons, as to them, or the greater part of them shall be thought meet, to apprehend and arrest such person or persons, as shall refuse to appeare before them, as aforesaid, and to bring him, her, or them before the said Commissioners, or the greater part of them, to be examined as abovesaid, and vpon his, her, or their refusall to come or be examined before the said Commissioners, as aforesaid, to commit the said party so refusing to such prison, as the said Commissioners, or the greater part of them shall thinke meet, there to remaine without baile or mainprise, vntill such time as the said person so refusing to come, or to be swoyne to answer before the said Commissioners, shall submit him or her selfe to the said Commissioners, and be by them examined, according to the true intent of the said Statute, and of this Act. 1. Jac. 15.

17 Provided alwaies, that such witnesses as shall be sent for, shall haue such costs and charges as the Commissioners in their discretion shall thinke meet: The same charges to be ratably borne by the Creditors of the said Bankrupt, according to the proportion of each of their seuerall debts. And if any person or persons, other then the Bankrupt, either by subornation, vnlawfull procurement, sinister perswasion, or meanes of any others, or by his owne act, consent, or agreement, shall wilfully and corruptly commit any manner of wilfull perurie, by his deposition to be taken before the said Commissioners, or the greater part of them, as aforesaid, When the party or parties so offending, and all and euery person and persons that shall

If Bankrupt refusing to answer to interrogatories.

If Bankrupt committing perurie.

Examination of such as haue Bankrupts goods, or be indebted vnto them.

Witnesses allowed their charges.

Perurie.

Bankrupts.

shall unlawfully and corruptly procure any such unlawfull, wilfull, and corrupt perjury, shall or may therefore bee indicted in any of the Kings High Courts of Record, and after his or their conviction thereof, shall incurre such forfeiture, and receive and have such paines and punishment as are limited by the Statute made concerning Perjury, in the first yeare of the reigne of Quene Elizabeth. 1. Jacobi 15.

The forfeitures.

18 All and every summe and summes of money, which shall bee forfeited by force of this present act, shall bee paid for, and recovered by the said Creditors onely, or any of them that will sue for the same, by Action of Debt, Bill, Plaint, or Information, in any of the Kings High Courts of Record, and the summe or summes of money so recovered (the charges of suite being deducted) shalbe distributed and divided towards the payment of the Creditors of the Bankrupt. 1. Jacobi 15.

Assignment of debts due to a Bankrupt.

19 The Commissioners of Bankrupts, or the greater part of them, shall have power to graunt and assigns, or otherwise to order or dispose, all or any of the debts due, or to be due, to or for the benefit of the said Bankrupt, by what person or persons soever, or in what manner or forme soever, to the use of the Creditors of the said Bankrupt, according to the true intent of the said former recited Statute of Bankrupts. And the same graunt, assignment, or disposition of the sayd debts in forme aforesaid, to be made by the said Commissioners, or the greater part of them, shall so best the property, right, and interest of the said debt and debts, in the person or persons of him, her, or them, to whom it shalbe graunted, assigned, or ordered by the said Commissioners, or the greater part of them, as fully to all intents and purposes, as if the sayd Bill, Bond, Bonds, Statutes, Recognizances, Judgement, or Contract, whereupon the sayd Debt or Debts, and or Words shall arise or grow, had bene made to, or with, or by the said person or persons, to whom the same shall be so graunted, assigned, or disposed by the said Commissioners: And after such Graunt, Assignment, or disposition made of the said debts, neither the Bankrupt, nor any other to whom any such debt shall be due, shall have power to recover the same, nor to make any release or discharge thereof, neither shall the same bee attached as the debt of the Bankrupt, or such said other person or persons to whom the same shall be due, by any other person or persons, according to the customs of the citie of London, or otherwise: But the party or parties to whom the same debts shall be assigned, shall have like remedy to recover the same, as fully and lawfully in the name or names of the person or persons, to whom the same shalbe so graunted, assigned or ordered by the said Commissioners, in all respects and purposes, as the party himselfe might have had: any Law, Statute, use, or Customs to the contrary thereof in any wise notwithstanding. Provided alwaies, that no debtor of the Bankrupt be hereby endangered, for the payment of his or her debt truly and Bona fide to any such Bankrupt, before such time as hee shall understand, or know, that he is become a Bankrupt. Anno 1. Jacobi 15. See 2.

Declaring how the bankrupts lands and goods be bestowed.

20 Such of the said Commissioners as shal put the same Commission in execution, shal upon lawfull request to them made by the said Bankrupt, not only make a true declaration to the said Bankrupts of the employing & bestowing of his, her, or their said lands, tenements, & hereditaments, offices, fees, goods, wares, money, chattels,

cattels, & debts, which shalbe paid & satisfied to their said creditors, as is in like case limited or appointed by the said former statute made 13. Eliz. but also make payment of the ouerplus of the same, if any such shalbe, to the sayd Bankrupts, their executors, administrators, or assignes. And the said Bankrupts, after the full satisfaction of the said creditors, shal haue full power & authoritie to recouer & receive the residue & remainder of the debts to them owing, any thing in this Act &c. notwithstanding. 1. Iacob. 5. S. 4.

21. If any Action of Trespasse, or other suit, shall happen hereafter to be brought against any Commissioner authorized by the Statute made 13. Eliz. for Bankrupts, or any other person or persons, having authoritie by vertue, or vnder the Commission, authorizing the Commissioners for the doing or executing of any matter, by force of the said statute, or this present statute, The defendant or defendants in any such action or suit may plead not guilty, or other wise iustifie, that the act or thing whereof the plaintife or plaintifes complained, was done by the authoritie of the said Act made 13. Eliz. or in this present act, respectively, without expressing or reherfall of any other matter or circumstance contained in either of the sayd acts, and without informing him or them to shew forth their Commission authorizing the said Act, or thing, whereunto the plaintife shalbe admitted to reply, that the defendant did the said fact supposed in the declaration of his owne wrong, without any such cause alleged by the said Defendant, whereupon the issue in such Action shalbe ioyned, to be tried by verdict of twelve men, and vpon the triall of that issue, the whole matter to be given on both parts in euidence, according to the very truth of the same: And if the verdict vpon such issue shal passe for the Defendant, the Defendant to haue his costs. 1. Iac. 15.

The Commissioners plea in an action brought against them.

22. If after any Commission of Bankrupts hereafter sued forth, and dealt in by the Commissioners, the offender happen to die, before the Commissioners shall distribute the goods, lands, and debts of the offenders, or any of them, by force of the foresaid Statute of 13. Eliz. and this statute, or either of them, Then neuertheless the said Commissioners shal and may in that case proceed in execution, in and vpon the said commission, for and concerning the offenders goods, lands, tenements, hereditaments, and debts, in such sort as they might haue done, if the party offender were liuing. 1. Iac. 15.

The Commissioners shal proceed, though the Bankrupt die

Barke.

Whofoener shall maliciously, willingly, or unlawfully bark any Apple trees, Pearre Trees, or other fruit trees, of any other persons, shall forfeit to the partie grieved treble damages, to be recovered by Action of Trespas to be taken at the common law, and to the B. r. for a fine. 37. H. 8. 6.

Barking of Apple trees.

- 1 There shalbe no ingrossing or regrating of Barke. S. Leather 14.
- 2 At what time trees meet to be barked shalbe felled. S. Leather 15.
- 3 Purueyors shall not fell timber but in barking time. S. Leather 16.

Bastardie.

Justices of the Peace, whereof one to be of the Quorum, in or next vnto the limits, where the parish church is, within which parish any Bastard begotten and borne out of lawfull Matrimonie shall be borne (vpon examination of the cause and circumstance) shall and may by their discretion, take order, aswell for the punishment of the mother, & reputed father of such bastard child, as also for the better reliefe of euerie such parish in part or in all, and shall and may likewise take order for the keeping of euerie such bastard child, by charging such mother or reputed

Just. of peace shal take order for Bastards.

Bastardie. Barwicke.

ted father, with the payment of money weekly, or other sustentation for the reliefe of such child, in such cases as they shall thinke convenient. And if after the same order by them subscribed vnder their hands, any the said persons, that is to say, mother or reputed father, vpon notice thereof, shall not for their part performe the said order: When euerie such party so making default, in not performing the said order, shall be committed to ward to the common Gaole, there to remaine without baile or mainprise, except he, she, or they shall put in sufficient sureties to performe the said order, or else personally to appeare at the next generall Sessions of the Peace to be holden in that Countie where such order shall be taken, and also to abide such order, as the said Just. of the P. or the more part of them, then and there shall take in that behalfe (if they then and there shall take any) and if at the said Sessions the said Just. shall take no order, then to abide and performe the order before made, as is aboue sayd. 18. Eliz. 1. 1. Lac. 25. to continue to the end of the first Session of the next parliament. S. Just. of Peace 102.

He is a bastard which is borne before marriage.

Proclamation made before the writ to the Bishop to certifye bastardie.

2 It is an antient and approued law in this Realme, that he which is borne before marriage is not legitimat to enioy any inheritance, as he that is borne after marriage. Merton 20. H. 3. 9.

3 In all Courts where any suit shall be commenced, wherein Bastardie shall be pleaded against any person, partie to the same suit, and thereupon an issue ioyned, which by the Law ought to be certified by the Ordinarie, the Just. or one of them of the same Courts before any writ of Certificat shall passe to the Ordinarie to certifye the issue so ioyned, shall make remembrance vnder their Seales or Seale, at the demandant, tenant, plaintife, or defendants suit, reciting the issue, and shall certifye the same to the Chauncelloz of England, to the intent that Proclamation may be made in the Chauncery once every moneth by the space of thre moneths, that all persons which haue any interest to obiect against him which pretendeth to be mulier, shall be before the Ordinarie to whom the Certificat shall be directed, to alledge, and obiect against the partie pretending to be mulier, as the lawes of the church do require. And the Chauncelloz hauing notice of the same remembrance and issue ioyned, and being required by one of the foresaid parties, shall cause the sayd Proclamations to be made in forme aforesaid, & shall certifye the same into the Court where the suit shall depend. And the Justices of the Court where the suit shall be commenced, shall make one Proclamation openly in the same Court, before any proclamation made in the Chancery, and another after the Chauncelloz hath certified, and then the Judge shall atward the said writ of Certificat to the Ordinarie, to certifye of the issue ioyned. And if any writ of Certificat be granted, before all the proclamations in forme aforesaid be made and certified, the said Certificat, and the Certificat of the Ordinarie thereupon made, shall be void in Law. 9. H. 6. 11.

1 By what meanes bastardie shall be tried when it is pleaded against one borne beyond the Sea. S. Abilitie. 2.

2 The punishment of lewd women which haue Bastards, and a remedie for them that runne away and leaue their children to the charge of the Towne. S. Vagabonds 20. 21.

Barwicke.

Merchandises comeyed into or out of Scotland, shall be brought fro Barwicke.

AU merchandises that shall be brought out of Scotland, or the Isles of the same, into this Realme, Ireland, or Wales shall be first brought to Barwicke. And none vnder the Kings obeyssance shall buy such Merchandises, before that it be bought, sold, & customed there (except at Carlisle, and the Ports and Cracks pertaining to the West March.) And also none vnder the Kings obeyssance shall carry any Merchandise being in England, Ireland, or Wales, into Scotland, or into the Isles

Files of the same: And none vnder the R. allegiance shall sell merchandize of England, Wales, or Ireland, to any inhabiting in Scotland, except at Barwicke, and Carlisle. No merchandize shall be shipped betwixt Linmouth, and Barwicke, but only in the port of Barwick. No man shall cause to be sold Salmon take in Edward but the Burgeses, and they that be franchised in Barwicke. And he that offendeth or doth with any merchandize contrarie to this ordinance, shall forfeit the same to the King, and him that will seise, or sue for the same by A. of debt, wherein no W. C. p. 46. 22. Edw. 4. 8.

1 For payment of Mortuaries in Barwick, and the Marches thereof. S. Mort. 5.

2 Liberties and Franchises granted to the Maior &c. of Barwick. S. 1 Jac. 2. 8.

Bishops.

A Every avoidance of any Archbishopricke, or Bishopricke within this realm, or in any other the R. Dominions, the R. his heirs & successors, may grant to the Deane and Chapter of the Cathedral Churches, where the See of such Arch. or Bishopricke shall happen to be void, a licence vnder the great seale (as of old time hath bin accustomed) to proceed to election of an archb. or bishop of the sea so being void, with a letter missive containing the name of the person which they shall elect and chuse. By vertue of which Licence the sayd Deane and Chapter, to whom any such licence and letters missives shall be directed, shall with all speed in due forme elect and chuse the said person named in the said letters missives, to the dignitie and office of the archb. or bishopricke so being void, and none other. And if they doe or ser or delay their election aboue xij. dayes next after such licence, and letters missives to them deliuered, then for every such default, the R. his heirs and successors, at their Libertie and pleasure, shall nominate & present by their Letters patents, vnder their great seale, such a person to the sayd office and dignitie so being void, as they shall thinke able and convenient for the same. And every such nomination and presentments to be made by the R. his heirs and successors, if it be to the office and dignitie of a bish. shalbe made to the archb. and Metropolitane of the Province, where the See of the same bishopricke is void, if the See of the sayd archb. be then full and not void: And if it be void then to be made to such Archb. or Metropolitane within this realme, or in any the R. dominions, as shall please the king, his heirs or successors: And if any such nomination or presentment shall happen to be made for default of such election to the dignitie or office of an archb. Then the R. his heirs and successors, by his L. patents vnder his great seale shall nominate and present such person as they will dispose to haue the sayd office and dignitie of Archbishopricke being void, to one such archb. and two such Bish. or else to foure such bish. in this realm, or in any the R. dominions, as shalbe assigned by our said Soueraign Lord, his heirs or successors. 25. H. 8. 20.

The manner of electing of bishops.

2 Whensoever any such presentment or nomination shalbe made by the R. his heirs or successors, by authority of this act, & according to the tenor of the same: then every arch. & bish. to whose hands any such presentment and nomination shalbe directed, shall with all speed inuest and consecrate the person nominate and presented by the R. his heirs or successors, to the office or dignitie that such person shalbe so presented vnto, and giue and vse to him Pall and al other benedictions, ceremonies and things requisite for the same. And if the said Deane and Chapter after such licence and letters missives to them directed within the said xij. dayes, doe elect & chuse the said person mentioned in the sayd Letters missives according to the request of the King, his heirs or successors, thereof to be made by the said Letters missives in that behalfe: then their election shall stand good and effectuell to all intents, and the person so elected, after certification made of the same election, vnder the common

Consecration of a Bishop.

Bishops.

Lozd elect.

seale of the electoꝝs, to the R. his heires oꝝ successoꝝs, shalbe reputed and taken by the name of Lozd electoꝝ of the said dignitie and office, that he shall be elected vnto: And then making such oath and fealtie only to the R. his heires and successoꝝs, as shalbe appointed foꝝ the same, the R. by his letters patents vnder his great Seale shal signifie the said election, if it be to the dignitie of a Bishop, to the Archbishop and Metropolitan of the pꝛouince where the Sea of the sayd Bishopricke was voyd, if the Sea of the Archbishoppe be full and not voyd: And if it be void, then to any other Archbishop within this realme, oꝝ in any other the R. dominions, requiring & commanding such archbishop, to whom any such signification shall be made to confirm the said election, & to inuest & consecrat the said person so elected to the office & dignitie yf he is elected vnto, and to giue and vse to him all such benedictions, ceremonies, and other things requisit foꝝ the same. And if the person be elected to the office and dignitie of an Archbishop, according to the tenoꝝ of this act, then after such election certified to the R. in forme aforesayd, the same person so elected to the office and dignitie of an Archb. shalbe reputed and taken Lozd elect to the sayd office and dignitie of Archb. wherunto he shalbe so elected: And then after he hath made such oath and fealty only to the R. his heires and successoꝝs, as shalbe limited foꝝ the same: The R. by his L. patents vnder his great Seale shall signifie the said election to one Archb. and two other Bishops, oꝝ else to foure bishops within this realme, oꝝ within any other the R. dominions, to be assigned by the R. his heires oꝝ successoꝝs, requiring & commanding the said Archb. and Bishops with all speed to confirme the sayd election, & to inuest & consecrat the sayd person so elected to the office & dignitie that he is elected vnto, and to giue and vse to him such pall, benedictions, ceremonies, and all other things requisit foꝝ the same. Anñ 25. H. 8. 20.

This election of a Bishoppe shalbe lawfull

3 Every person and persons being hereafter chosen, elected, nominated, presented, inuested, & consecrated to the dignitie oꝝ office of an Archbishop oꝝ bishop within this Realme, oꝝ within any other the Kings dominions, according to the forme, tenoꝝ, and effect of this present Act, and suing their tempozalties out of the Kings hands, his heires oꝝ successours, as hath bene accustomed, and making a coꝝpozall Oath to the Kings Highnes, and to none other in forme as is afoze rehearsed, shall and may be thionized oꝝ installed, as the case shall require, and shall haue and take their only restitution out of the R. hands, of all the possessions and pꝛofits spirituall and tempozall belonging to the sayd Archbishopricke oꝝ bishopricke wherunto they shall be so elected oꝝ presented, & shall be obeyed in all maner of things, according to the name, title, degre, and dignitie that they shall be so chosen oꝝ presented vnto, and doe and execute in euerie thing and things touching the same, as any archbishop oꝝ bishop of this Realme, without offending of the pꝛerogative royall of the Crowne, and the lawes and customes of this Realme, mought at any time heretofoze doe. Anno 25. H. 8. 20.

The penaltie foꝝ not electing oꝝ not consecrating a Bishoppe.

4 If the Deane and Chapter of any Cathedꝛall Church where the Sea of any Archbishop. oꝝ bish. is within any the Kings dominions, after such licence, as is afoze rehearsed shalbe deliuered to them, pꝛocꝛed not to election, and signifie the same according to the tenoꝝ of this act, within the space of xx. dayes next after such Licence shall come to their hands: Wꝛ else if any Archbishop. oꝝ Bish. within any the Kings dominions after any such election, nomination, oꝝ presentation, shall be signified vnto them by the King Letters patents, shall refuse, and doe not confirme, inuest, and consecrat with all due circumstances as is afozesaid, euerie such person as shall be so elected, nominat, oꝝ presented, and to them signified, as is aboue mentioned, within xx. dayes next after the Kings Letters patents of such signification oꝝ presentation shall come to their hands: Wꝛ else if any of them, oꝝ any other person oꝝ persons, admit, maintaine, allow, obey, doe, oꝝ execute any censures, excommunications, interdictions, inhibitions, oꝝ any other pꝛoces oꝝ act, of what nature, name,

o2 quality soener it be, to the contrary o2 let of due execution of this Act, When enery Deane and particular person of the Chapter, and enery Archbishop and Bishop, and all other persons so offending & doing contrary to this Act, o2 any part thereof and their aidors, counsellors, and abettors shall runne in the dangers, paines, and penalties of the Statute of Prouision and Præmunire made 25. Ed. 3. & 16. R. 2. 25. H. 8. 20. 1. Eliz. 1.

5 Such order and forme for the consecrating of Archbishops and Bishops, and for the making of Priests, Deacons, & Ministers, as was set forth in the time of K. Ed. 6. and added to the booke of Common Prayer, & authorized by Parliament, An 5. & 6. E. 6. 1. shall stand and be in full force and effect, and shall be vsed and obserued in all places within this Realme, and other the Qu. dominions: and all acts and things heretofore had, made, o2 done by any person o2 persons in o2 about any consecration, confirmation, o2 inuesting of any persō o2 persons elected to the office o2 dignitie of any Archb. o2 Bish. within this realm, o2 within any other the Qu. dominions o2 countries, by vertue of the Qu. letters patents o2 Commission, sithence the beginning of her raigne, be and shalbe by authoritie of this Parliament, declared, and iudged, at and from euery of the seuerall times of the doing thereof, good and perfect to all respects and purposes: Any matter o2 thing that can o2 may be objected to the contrarie thereof in any wise notwithstanding. And all persons that haue been o2 shalbe made, ordered, o2 consecrat Archb. Bish. Priests, Ministers of Gods holy word and Sacraments, o2 Deacons after the forme and order prescribed in the said order and forme how Archb. Bish. Priests, Deacons, and Ministers, should be consecrated, made, and ordered, be in verie deed, and also by authoritie hereof declared and enacted to be, and shalbe Archb. Bish. Priests, Ministers, and Deacons, and rightly made, ordered and consecrated: Any statute, law, canon, o2 other thing to the contrarie notwithstanding. 8. Eliz. 1.

Bishops consecration.
Making of Ministers.

6 Prouided allwayes, that no person o2 persons shal at any time hereafter be impeached o2 molested in body, lands, tyuings o2 goods, by occasion o2 meane of any certificat by any archb. o2 bish. heretofore made, o2 befoze the last day of this Session of Parliament to be made, by vertue of any act made in the first Session of this Parliament, touching o2 concerning the refusall of the oth declared and set forth by act of Parliament, Anno 1. Reg. Eliz. Any thing in this act, o2 any other act o2 statute heretofore made to the contrarie notwithstanding. And all tenders of the sayd Certificat of the refusall of the oth made by any Archb. o2 bishoppes aforesaid, o2 befoze the last day of this Session to be made, by authoritie of any Act established in the first Session of this Parliament, and all refusals of the same othe so tendered by any archb. o2 bish. by authoritie of any Act, established in the first session of this parliament, shalbe void. 8. Eliz. 1.

7 All & enery deprivation & deprivations, and all & euery sentence and sentences of deprivation whatsoeuer, had, pronounced, o2 giuen at any time betwene the beginning of her raigne of her Qu. Maiest. that now is, & the 1. day of Nouemb. in her 4. yere of the same, against any person o2 persons, which was, o2 took vpon him to be archb. o2 bish. of any Sea o2 bishoprick, o2 deane of any deanry within this realme, o2 any the dominions thereof in the raigne of the late Qu. Mary, from such Sea o2 bishoprick, shalbe adiuudged, deemed, & taken good and sufficient in law to all intents and purposes, and so shall remaine & continue: Any appeale, exception, o2 other matter o2 thing whatsoeuer to the contrarie thereof in any wise notwithstanding. 19. El. 8.

Depriuation of Bish. and Deanes.

8 All such archb. and bish. & deanes, as were ordained o2 made by the authoritie o2 licence of her Qu. Maiest. that now is, at any time betwene the beginning of her raigne, & the said 1. day of Nouemb. in the 4. yere of her raigne, shalbe taken & adiuudged to be lawful archb. o2 bish. of the Sea o2 bishoprick, and deane of the deanry, vnto the which he was so preferred, assigned, o2 appointed: And the same Sea of archbishoprick, o2

Archb. bish. & deanes made by the Qu.

bishoprick, and deanry, unto which he was so preferred, assigned, or appointed, shall be deemed, and adjudged to be merely void to all respects and purposes, before such preferment, appointment, or assignement so made, as aforesaid: any ambiguity or question in that behalf heretofore made, or hereafter to be made to the contrary in any wise notwithstanding. 39. Eliz. 8.

Deffin of a
Bishops tem-
poralities.

9 The King nor his heires shall take, or cause to be taken into their hands the Temporalitie of Archbishops, or Bishops, without a true & iust cause, according to the Law, and Judgement thereupon given. 14. Ed. 3. 3. A Bishops Temporalitie shall not be seized for a contempt upon a writ of Quare non admittit, or such other cause: but he shall make a reasonable fine, according to the quantity of the trespass, or qualitie of the contempt. 25. Ed. 3. 6. pro Clero.

Using of B.
temporalities
during the vaca-
tion.

10 At all times when any Vacation of any Archbishoprickes, or Bishoprickes shall happen, the Kings Escheatores for the time being shall enter, & cause the same boydances to be well kept, without doing wast or destruction in the Manours, parkes, ponds, or woods. And they shall sell no underwood, nor hunt in the parkes or Warrens, nor fish in the Ponds, nor see fishings, nor shall take any fine of the Tenants free or bound: But shall keep and save as much as pertaineth to the said boydances, without doing hurt, or any manner of oppression. And if the Deane and Chapter of Cathedrall Churches, will render to the King and his heires the value of the sayd auoydances, as other will reasonably yield, Then the Chaunceloz and Treasorer shall haue authoritie to let to the said Deane and Chapter the said boydances by good and sufficient suretie, so that they shall haue the same before all other, yielding to the King the value as shalbe found by Remembrances of the Erchequer, or by Enquest to be taken upon the same, if need be, without making fine. And if they will not consent to yield the value, nor find such suretie, Then the Chaunceloz and Treasorer shall cause such auoydances to be preferred by Escheatores, or other sufficient keepers, to answer the King of that to him pertaineth reasonably, without doing wast, or destruction, or other thing, which may turn to the disherison of the Churches, whereof such auoydances shall happen. Saving to the King & his heires the knights fees, aduowsons of Churches, Escheates, wards, mariages, relieves, and seruices of the said fees. 14. Ed. 3. 4. 5. pro Clero.

- 1 For a writ to the Bishop, to certifie Bastardie, S. Bastardie 3. Abilitie 2.
- 2 What assurances made by Bishops, &c. of their Lands shall be goods, & what not. S. Ecclesiast. 6.
- 3 A Bishop may visit hospitals within his Diocesse. S. Hospitals 1.
- 4 Bishops may punish Clerkes for incontinencie. S. Incontinencie.
- 5 A Confirmation of certaine grants made by Bishops to K. H. 8. and K. E. 6. of certaine Lands. S. Monasteries 9.
- 6 By what Chapter the B. of Couentries &c. assurances shalbe confirmed. S. 33. H. 8. 30.
- 7 The Bishoprick of Chester and Man, in what Prouince. S. 33. H. 8. 31.
- 8 By what Charter the B. of Bathe and Welles assurances shalbe confirmed. S. 34. H. 8. 15.
- 9 The tenths of the Bishopricks of Chester, Gloucester, Peterborough, Bristol, and Oxford. S. 34. H. 8. 15.
- 10 A confirmation of an assurance made to the B. of Norwich. S. 39. Eliz. 22.

Bookes.

Bookes
brought from
beyond sea
bound.

If any person, resident, or inhabitant within this Realm, shall buy to sell againe, any printed Bookes, brought from any parts out of the Realm, obedience, ready bound in boards, leather, or parchment, he shall forfeit for every booke bound out of the Realm, obey.

obeyfance, & brought into this realm, & bound by any person within the same, to sell againe, vi. s. viij. d. to the R. and the partie that will seile or sue for the same by A. 3. 4c. wherein no W. 4c. 25. H. 8. 15.

2 If any person inhabitant or resident within this Realm, shall buy within this Realme of any stranger booke out of the Kings obeyfance (other then of Denizens) any printed booke brought from any parts beyond the Sea (except onely in grosse, and not by retaile) he shall forfeit for every booke so bought by retaile, vi. s. viij. d. to the King and the parties that will seile or sue for the same by A. 3. 4c. wherein no W. 4c. 25. H. 8. 15.

Bookes brought from beyond Sea bought in grosse.

3 If any Printers, or Sellers of printed books, inhabiting within this realme, doe at any time in such wise inhaunce and increase the prices of any such Printed books in sale or binding at too high & unreasonable prices, in such wise as complaint thereof be made to the King, or unto the L. Chauncello, L. Treasorer, or any of the chiefe Just. of the one bench, or of the other, When the same Lords etc. or two of any of them, shall have authoritie to enquire thereof, as well by the othes of ry. honest and discret persons, as otherwise by due examinations by their discretions. And after the same inhauncing, and increasing of the sayd prices of the sayd bookes and binding, shall be found by the said ry. men, or otherwise by examination of the said L. Chauncello, L. Treasorer, and Just. or two of them: When the same Lords etc. or two of them at the least, shall have power to reforme and redresse such inhauncing of the prices of printed bookes, from time to time, by their discretions, and to limit the prices as well of the Bookes, as for the binding of them. And over that the offenders thereof being convicted by examination of the same Lords etc. or two of them, or otherwise, shall forfeit for every Booke by them sold, whereof the price shall be inhaunced to the Booke or binding thereof, iij. s. iij. d. to the King and parties grieved, that will complain upon the same, in maner and forme aforesaid. 25. H. 8. 15.

The price of Bookes inhaunced.

1 No Popish bookes shall be sold or bought. S. Recufants 74.

Boatmen, Watermen, Barges, Boats, &c.

The Mayor and court of Aldermen of the city of London, at their first court of Aldermen holden within the sayd Citie next after the first day of March, shall yearly appoint and chuse 8. persons, of the most wise, discret, and best sort of watermen, being Householders, & occupying as watermen upon the river of Thamise betwixt Grauesend and Windso. And the same eight persons so elected, shall be called the Quersers and Rulers of all the Watermen and Watermen, that after the sayd first day of March, shall use or exercise any rowing upon the sayd River of Thamise, betwixt Grauesend and Windso: which said Quersers shall keep good order and obedience amongst the said Watermen, according to the true meaning of this Statute. And if any person elected to be an Querser, doe negligently exercise his rowneth, or will obstinately refuse to take upon him the same, then he shall forfeit to the R. and J. v. l. to be recovered by A. 3. 4c. wherein no W. 4c. 25. H. 8. 15.

Eight Quersers of watermen.

Quersers neglecting or refusing their rowneth.

2 It is lawfull to the said eight Rulers for the time being, and their successors, from time to time to call before them at some convenient place by them to be appointed, all and every such person & persons which shall use the sayd trade of rowing betwixt Grauesend & Windso, and shall register the names of every of them that shall be by them allowed or admitted for Watermen to row betwixt Grauesend and Windso, in a booke made for the same intent, & to take such further order therein with every of the said parties, as it shall seeme mete by the discretion of the sayd Quersers. And also the sayd Quersers shall and may oversee, view, and survey

Quersers shall order the Watermen and register their names.

Boatmen, Watermen, Barges, Boats, &c.

Overseers
shall view the
boates before
they be launch-
ed forth.

Examining
complaints.

Resolving
Overseers.

Two water-
men shall not
row, but wher
one of them is
allowed by the
Overseers.

No single
man shalbe a
waterman.

The length,
breadth, and
goodnesse of
Boats.

Watermen
which hide
themselves
in the time
of pressing.

survey at all times, all Boates and Whories that shall be made, before the same be launched out of the yard, or ground, wherein they shall be made, into the sayd river of Thamise, to the intent that they and every of them may be made and prepared, in such manner and forme, and according to the goodnesse, proportion, and quantitie in this Act limited. And the Mayor and Aldermen of London, and the Iustices of Peace within the Shires next adioyning to the River of Thamise, everye of them within their severall iurisdictiones haue authoritie vpon complaint made to them, or any of them by the said Overseers, or two of them, or the Master of any seruant, not onely to examine, heare and determine all complaints & offences committed by any such person that shall offend contrarie to the true meaning of this Act, and to set at large everye such person as shall be imprisoned by the said Overseers, according to this Act, if iust cause shall appeare vnto them so to doe, but also by their discretion to punish, correct, and reforme the said Overseers, and every of them, that shall vniustly punish any person by colour of this act. 2. & 3. P. & M. 16. S. Iustices of peace 109.

3 No persons, where two Watermen, and not aboute two shall row together in one boat, or whorie, in any place betwixt Grauesend and Windsor, shall receive any person into their Boat, or Whorie, to the intent to carrie him therein, vnlesse one of the same two watermen haue bin so: the most part exercised in rowing vpon the sayd River of Thamise by the space of two whole yeares before that time: And also that one of the same two Watermen at the least be duely admitted and allowed by the same eight Overseers, or the most part of them by writing, vnder their knowne seale, to be a sufficient and able Watermen, vpon paine that everye such person presuming or offending contrarie to the true meaning of this Act, shall by the sayd eight Overseers be committed to Prison in one of the Counters of the Citie of London, there to remaine one Moneth, or lesse, as the offence shal require. 2 & 3. P. & M. 16.

4 No person being a single man, not keeping household, and not retained, shall vse to row betwixt Grauesend and Windsor, vnlesse he be Prisoner, or in service retained with a Master by the whole yeare at the least, vpon paine of like imprisonment. 2 & 3. P. & M. 16.

5 If any person shall make any Whorie or Boat, to the intent commonly to vse rowing and carrying of people vpon the sayd River of Thamise, which shal not be 33. foot and a halfe in length, and 4. foot and a halfe broad in the midship, or which shall not be substantially, and well able and sufficient to carrie two persons on one side tight, according to the old quantitie, skantling, thickeesse of board, goodnesse, and good proportion heretofore had and vfed: When the same Boat being made contrarie to the proportion and sozt before expressed, shalbe taken as forfeit, and shalbe sozt to the D. and J. to be recovered by A. J. 4c. wherein no W. 4c. C. P. or J. 4c. 2 & 3. P. & M. 16.

6 If any person that shall vse the occupation of rowing betwixt Grauesend and Windsor, which in the time of the execution of any Commission of pressing, that shall be had so: the serving of the Quene, her heires & successors, in their affaires, shall willingly and obstinately hyde, or conuey himselfe in the same time of pressing, into secret places and out corners, and after tohen such time of pressing is ouerpassed, shal returne againe to the said river of Thamise, to row betwixt Grauesend and Windsor, and that duely proued by two indifferent witnesses before the Mayor of London and Court of Aldermen, or Iustices of the peace, and two of the sayd Rulers, then he so offending, shall suffer Imprisonment by the space of two weekes, and be banished any more to rowe from thenceforth vpon the said river of Thamise, by the space of one whole yeare and a day then next following. 2 & 3. P. & M. 16.

7 Every person authorized to rowe betwene Grauesend and Windsor, that shall take for his faire and labour above the prices assessed by the Haire & Court of Aldermen of London, and viewed, signed, & subscribed with two at the least of the Quenes Privie Councils hands, and written, and set up in Tables at the Guild hall or Westminster hall &c. shall suffer imprisonment one halfe yeare, & also shall forfeit for everie such offence to the Quene and J. &c. rl. s. to be recovered by A. J. &c. wherein no W. &c. P. & J. &c. for the Haire and Court of Aldermen of London, shall from time to time assesse the summes of money that every person authorized to rowe betwene Grauesend and Windsor, shall take for his labour or fare from place to place particularly betwixt Grauesend and Windsor. 2 & 3. P. & M. 16. By the Statute made 6. H. 8. 7. there was established a certaine rate and wages that Watermen should take for their fare betwixt one place and another nere unto the Citie of London. But it seemeth that the force of that Statute is taken away by the foresaid branch. Sed Quere. S. 8. Eliz. 13.

What fare
Watermen
may take.

8 No person occupying any Waterne Barge, shall retaine, take, or receive in to his service, any single person not keeping house, or household, but onely such as shall be retained with him by the whole yeare, & no householder, but only such as he will, or shall answer for his good behaviour, upon paine and forfeit to the Q. & J. rl. s. to be recovered by A. J. &c. wherein no W. &c. P. & J. &c. 2 & 3. P. & M. 16.

The servants
of Waterne
Bargemen.

It seemeth that the first part of this branch is repealed by the generall words of the Statute of 5. Eliz. 4. which repealeth all Statutes and every branch of the which touch or concerne the hyring, keeping, departing, working, wages, or order of servants, workmen, artificers, prentices, and labourers, &c. Sed Quere.

9 No person shall interrupt by any obstacle, let, or otherwise, any person or persons passing or repassing, on and upon any of the pathes bearing of a foot and a halfe broad, lying on every side of the river of Severne, & time out of mind accustomed, nor shall aske, take, or demaund any toll called a draught, or a bottle of wine, or any other fare or imposition of any of the Kings subiects there going in the sayd pathes accustomed, there hapling or drawing their boates, troughes, or vessels, upon paine to forfeit for every time that he shall interrupt any of the Kings subiects, or aske, or take any such imposition, by what name soever it be called rl. s. to the King and partie grieved, to be recovered by A. J. &c. wherein no W. &c. P. & J. &c. 9. H. 6. 5. 23. H. 8. 12.

Passengers
upon the banks
of Severne.

10 Whosoever doth take any imposition of any of the Kings liege people, for any Trough, Boat, or other vessel, for any goods or merchandizes carried in & upon the river of Severne, or doth bere or interrupt any Boates, Troughes, or vessels so passing by the sayd River, for any such Imposition, or otherwise against the Lawes, (except such which by decree made betwixt 20. Janua. An dñi 1503. and the Ascension day, An dñi 1505. by the Kings Councell in the Starre Chamber obtayned the same) shall forfeit for every such offence xx. l. whereof the King shall have two parts, & the partie that will sue by popular Action of debt the third part, wherein no W. &c. P. & J. &c. And if it fortune the parties in any such action to plead to an issue, for any offences committed contrarie to the premises, triable in the Citie of Worcester, or the liberties of the same, Then the same issue to be tryed by xij. men of the Countie of Worcester, not dwelling, ne having any lands within the same Citie, nor the Suburbs of the same. And if the parties aforesaid in any such action plead to an issue, for any offence committed contrarie to the premises triable in the Shire of the Towne of Gloucester, or in the Countie of Gloucester, Then the same issue to be tryed by xij. men, of, or in the Countie of Gloucester thereunto adioynning, not having any Lands, ne dwelling within the same Shire of the Towne of Gloucester. 19. H. 7. 10.

Imposition of
Boates upon
Severne.

11 But any person having lands or meadowes adioynning to the sayd water of Severne

Boatmen, Watermen, Barges, Boats, &c.

Recompence
for hurts done
by Barge-men

Seuerne, may take of euery person going vpon his lands & meadowes, and dratw-
ing any Boat, Trough, or vessell, reasonable recompence for such hurts as he shall
sustaine by reason of any such going, or dratwing. 19. H. 7. 18. Except of such as shal
passe or repasse vpon any of the pathes of euerie side of the sayd Riuer, bicing of a
foot and a halfe broad, or there abouts, and time out of mind accustomed, as is alsoe
sayd. 23. H. 8. 12.

Transporting
offenders into
or forth of
waies at vn-
lawfull times.

12 If any person taking vpon him to haue and keepe any passage vpon the riuer
of Seuerne, doe carrie with any Barge, Boat, or other vessell, any person or per-
sons with hoxses, mares, kine, oxen, or other cattell, or any other person, befoze the
Sunne rising in the Morning, or after the Sunne being set at night, ouer any of
the sayd passages out of England into Wales, or the Forrest of Deane, or out of
Wales, or the Forrest of Deane into England, vntil the said passenger hath good
knowledge of such person or persons, and euery of their dwelling places, and vpon
request to him made by any person or persons, doe disclose the name and dwelling
place of euerie such person and persons, so by him conueyed ouer the sayd water
to any such person or persons so requiring the same, if suit be made for and after
them vpon any Dutrie, Huey, or freth suit, of, or for any felonie, robberie, murder,
and manslaughter committed, he shalbe imprisoned, and also pay a fine. 26. H. 8. 5.
S. Iustices of peace 81.

What wher-
men shall re-
tain seruants.

13 No Wheryman, or Waterman that now is, or that hereafter shalbe, and
shall row vpon the Riuer of Thamise, & shall transport or carie any passengers or
goods in any Wheries, tiltboats, or barges, (other then Westerne Barges, Spill-
boates, and all other Vessels ordinarie seruing for other vses then the carrying of
passengers) shall retaine or take any seruant or Apprentice to serue him as a wa-
terman vpon the sayd Riuer, vntil the said wheryman or waterman that so shall
retaine, take, or haue any such seruant, shall haue bene an Apprentice to a whery-
man, or waterman by the space of v. yeares befoze such retayning. And no whery-
man, or waterman that now is, or hereafter shall be vpon the sayd Riuer of Tha-
mise, shall retaine, haue, keepe, or take any person or persons to serue him to row
vpon the sayd Riuer as his Apprentice, vntil the said person so to be retained, or
to become an Apprentice, shall then be of the age of 18. yeares at the least, and shall
be retained and bound to his Master to serue vpon the sayd Riuer, for and during
the terme of vi. yeares at the least, vpon paine that euery person or persons doing
the contrarie, shall from time to time for euery such offence forfeit x. l. to the King
& 3. l. to be recouered in any of the R. Courts of record, by A. B. 3. 02 J. wherein
no W. C. 3. 02 other delay shall be allowed. 1. lac. 16.

Wherymens
sonnes.

14 This Act, nor any thing therein contayned, shall extend to the Sonne or
Sonnes which now are, or hereafter shall be of any Wheryman, or Waterman
abouesayd, (being of the age of sixteen yeares at the least, & of conuenient growth
and strength,) that formerly hath ben, or that hereafter shall be trayned & brought
vp in rowing, or haue, or hath accustomed to rowe vpon the said Riuer, and there
haue used, or shall vse to transport or carrie Passengers from place to place: But
all and euery such Sonne and Sonnes, shall and may from time to time be admit-
ted and allowed to serue, and may serue vpon the sayd Riuer, and there transport
or carrie Passengers from place to place as an apprentice, as heretofore they haue
done: Any thing in this Act &c. notwithstanding. 1. lac. 16.

The Water-
mens Orders
shall be read
twice in the
yeare.

15 The eight Quercies or Rulers of Wherymen, or Watermen, from hence-
forth twice in euery yeare, viz. vpon the first day of September, and vpon the first
day of March, shall openly read and publish, or cause openly to be read & published
in the Hall or place of their common assembly, where they usually either haue, or
hereafter shall appoint to assemble and met together, all and euerie the Consti-
tutions and Orders already made by them, or that at any time hereafter shall be
made

made by the Sherriffes and Rulers, for the good or better ordering or government of the sayd Wherryemen, or Watermen, upon paine that euery of them shall from tyme to tyme for euery such offence forfeit to the King his heires and successours, five pound thirtene shillings foure pence, whereof one halfe to the King &c. the other halfe to the J. which will sue for the same in any of the Kings Courts of Record, by A. D. B. P. or J. wherein no W. C. or other delay shall be admitted. 1. Jac. 16.

1 The forf. of Boatmen for carying any Corne &c. to a ship to be transported. S. Corne.

Bowes, Bowstaues.

If any Merchant stranger, or any servant, attorney, or factor of any of them, which will bring, send, or convey into this Realme any Merchandize in Cark, racke, Galley, or Ship, from the Citie or Countrey of Venice, or any Countrey from the East parts, from the Itry. Haunce Towns, or from whence any Bowstaues have bene heretofore brought, doe not bring in the same Ship wherein the Merchandizes be, for euery Tun weight of Merchandize foure Bowstaues, he shall forfeit to the D. and J. five shillings eight pence for euery default of bringing euery Bowstaue, to be recovered by A. J. &c. wherein no W. C. P. 12. Ed. 4. 2. 13. Eliz. 14.

4. Bowstaues brought in for euery Tun of merchandize,

2 If any Merchant of Venice, or other, shall bring or convey into this realme any Halmsey, or Lye, and doe not bring with euery Butt of either of them ten Bowstaues, good and able stuffe, he shall forfeit xij. s. iij. d. to the D. and J. &c. for euery Butt so brought, and not the sayd number of Bowstaues with the sayd Butt. And the said Bowstaues shall not be sold vngarbled, but to such persons as be bozne vnder the Kings obeisance. 1. R. 3. 11.

1. Bowstaues brought in for a Butt of Halmsey or Lye. Bowstaues garbled.

3 If any person vnder the age of seuentene yeares, do shoot in a Bow of Cwe bought for him, he shall forfeit five shillings eight pence, (except his father or mother haue lands or tenements to the yearly value of 1. l. or be worth in moueables the summe of 1. l. &c.) 33. H. 8. 9.

who may shoot in Bowes of Cwe.

4 If any Bowyer dwelling within the Citie or suburbs of London or Westminster, or the Borough of Southwarke, wanteth by the space of twenty dayes, fiftie good and able Bowes of Elme, Mitthasell, or Althe, readie made, and met to be sold and used, he shall for euery Bow so wanting of the aforesayd number for 1. s. to the D. & J. &c. being an Armorer, Fletcher, or Bowstringmaker, to be recovered by A. J. &c. wherein no W. C. &c. 8. El. 10. And euery Bowyer dwelling elsewhere, which doth not for euery Bow which he maketh of Cwe, make foure other Bowes of some other Wood apt for shooting, shall forfeit for euery Bow so wanting to the D. and J. &c. thre shillings foure pence. 33. H. 8. 9. 8. Eliz. 10. S. Iustices of Peace 63.

Bowes of Elme, Althe, Mitthasell.

5 If any Bowyer do sell any Bow met for mens shooting being of outlandish Cwe of the best sort, about the price of vij. s. viij. d. of the second sort about iij. s. iij. d. of the course sort called lineris Bowes about ij. s. of English Cwe about ij. s. a peece, he shall forfeit for euery Bow so sold about the price aforesayd 1. s. to the D. and J. &c. being an Armorer, Fletcher, or bowstringer, to be recovered by A. J. &c. wherein no W. C. P. &c. 8. Eliz. 10. 1. Jac. 25. to continue in force vntill the end of the first Session of the next Parliament. S. Archerie.

The prices of Bowes.

1 Bowstaues brought into this Realme, shall be searched and marked. S. Corporations 27.

Brasse, Latten, Copper, and Bell Metall.

Brasse, Latten, Copper, and Bell Metall.

No Brasse,
Latten, &c.
shalbe trans-
ported.

NO persons shall carrie or convey, or ship to the intent to carie or convey any Brasse, Copper, Latten, Bell Metall, Iron metall, or whose metall, whether it be cleere or mixed (Tin and Lead onely excepted) into any part beyond the Sea, or into any outward dominion, upon paine to forfeit the double value thereof, and x. l. for everie thousand weight of the same metall so carried, or shipped to the intent to be carried, to the R. and I. to be recovered by A. B. P. J. &c. wherein no W. &c. C. P. &c. 33. H. 8. 7. 2. Ed. 6. 37.

Trial of a
foreigner at
within this
Realme.

2 The arrivall, discharge, and delivery of the said metalls in any foreign dominion, shall be tryed and determined within this Realme in such Countie or place where the sayd metalls were shipped, or first carried, with like proces and determination as all other informations or actions be tried & adjudged within this Realme, or as the same fact had been done within this Realme. 33. H. 8. 7. 2. Ed. 6. 37.

He shall be
bound which
carrieth met-
tals to dis-
charge the
same within
this realme.

3 No person shall ship or carie any of the said metalls prohibited by this statute, to carrie or discharge the same in any part of this Realme, unlesse before the shipping thereof he doe declare to the Customor of such Port or Cræke, where the same metall shall be shipped, the true weight of all such metall as shall be shipped, and shall also before the shipping thereof, make a sufficient Obligation in the law, in which he shall be bound to the said Customor to the R. use, in such summe as shall amount to the double value, and ten pound for every thousand weight so declared, with Condition that the same metalls shall be discharged at some Port or cræke within this Realme, & in no other place, upon paine to forfeit the same. And everie such person that shall ship such metalls, and shall be bound as is aforesayd, shall within eight Moneths next after the shipping thereof, bring a true certificat from the Customor of the port, cræke, or place where he shall discharge the same, testifying that the same metall so shipped and the true weight thereof is there discharged, which certificat the Customor of such place where the said metall shall be discharged, shall upon discharge thereof make & deliver to the partie so discharging, or to his fact or without any delay. And if the Customor or his deputie doe make a false certificat, concerning the discharging of such metall, then he shall lose his office, and the value of the goods concealed out of the said Certificat. And if any Customor, Comptroller, or his deputie, by any undue means will suffer any person, after the metall is shipped or carried, contrarie to the meaning of this act, to make an Obligation without date, for the discharge & certificat of his metall, then such Customor so suffering or receiving such Obligation, shall lose his office, and the value of the metall so shipped or carried. And if any Master, owner, purser, or boatswaine of any ship, do willingly permit any of the metalls abovesaid to be shipped, contrarie to the tenor of this Act, or else perceiving any such metall to be shipped, do not disclose the same within thre dayes after knowledge had, to the Customor or Comptroller of the same Port, or his Deputie, where the same is shipped, then he shall forfeit the double value of the same metall to the King and Inward, to be recovered by A. B. P. J. wherein no W. &c. C. P. &c. 33. H. 8. 7. 2. Ed. 6. 37. S. Customs &c. 19.

Customor of
the Port.

Master of the
Ship which
carrieth the
brasse.

If the metall
be drowned,
or robbed,

4 If the said metall by tempest of weather be drowned, or by enemies or pyrats robbed & spoiled, and that sufficiently proved without stand before the Customor and Comptroller, or their sufficient deputies, in the port where the party so shipped the metalls aforesayd, or any of them, by the said partie or his Executors, then he bringing such sufficient proofe, shall have his Obligation to him delivered, or els he & his Executors thereof shall be cleerly discharged. 33. H. 8. 7. 2. Ed. 6. 37.

5 No person shall lade, ship, or carrie into any part beyond the Sea, any of the *No Hettal* *shall be laden* *but where* *there is a* *Customer.* *Hettals* aforesaid, but onely out of such Port or crake where the Customer or his deputie is resident and dwelling, upon paine of 50*l.* of the said Hettall, and 1*l.* for every thousand weight so shipped or carried, to the R. and J. to be recovered by A. Customer. B.P. 3. 4*c.* wherein no W. 4*c.* C.P. 4*c.* 2. Ed. 6. 37.

1 Where vessels of Brasse shall be sold, of what goodnesse it shall be, and what weight shall be thereof vsed. S. Pewer 1. 2. 4.

Bridges.

Where it cannot be knowne and proued what Hundred, Riding, Wapen- take, Citie, Borough, Towne, or Parish, nor what person certaine, or bo- die politike, ought of right to make Bridges decayed, in every such case the sayd Bridges (if they be without Citie or Towne corporat) shall be made by the inhabi- tants of the Shire or Riding within the which the sayd Bridge decayed shal be, and if it be within any Citie or Towne corporat, then by the inhabitants of every such Citie or Towne corporat. And if part of any such Bridges be in one Shire, Ri- ding, Citie, or Towne corporat, and the other part thereof in another Shire, Ri- ding, Citie, or Town corporat, or if part be within the limits of any Citie or Town corporat, and part without, or part within one Riding, and part within another, then the inhabitants of the Shires, Ridings, Cities, or Townes corporat, shall be charged to make and repaire such part of such Bridges so decayed, as shall lye and be within the limits of the Shire, Riding, Citie, or Towne corporat, wherein they be inhabited at the time of the same decayes. 22. H. 8. 5.

I remedie *where it is* *not knowne* *who ought to* *repaire* *Brid-* *ges.*

2 In every such case where it cannot be known and proued what persons lands, tenements, and bodies politike, ought to make & repaire such bridges, the J. of peace within the Shires or Ridings wherein such decayed bridges be, out of Cities and Townes corporat, and if it be within Cities or Townes corporat, then the Justices of peace within every such Citie or Towne corporat, or foure of the said Justices at the least, whereof one to be of the Quorum, haue power within the limits of their severall Commissions, to call before them the Constables of every Town and Parish within the Shire, Riding, Citie, or Towne corporat, as wel within Liber- ties as without, wherein such Bridges or any parcell thereof shall happen to be, or else two of the most honest inhabitants within every such Towne or Parish, &c. by the discretion of the said Justices &c. and upon the apparance of such Constables or inhabitants, the said Justices, or foure of them, whereof one to be of the Quorum, with the assent of the said Constables or inhabitants, haue power to take, & set every inhabitant in euery such Citie, Towne, or Parish, within the limits of their Com- missions, to such reasonable aid and summe of money as they shall thinke sufficient for the reedifying and amending of such Bridges: and after such taxation made, the said Just. shall cause the names and summes of every particular person so by them taxed, to be written in a roll indented. 22. H. 8. 5.

The inhabi- *tants of the* *Shire taxed* *for the amend-* *ment of decay-* *ed Bridges.*

3 And the Just. of P. haue power to make two Collectors of every Hundred, for collection of all such summes of mony by them taxed, which Collectors receiuing the one part of the said Roll indented vnder the seals of the said Justices, shal haue power to collect all the particular summes of money therein contained, and to dis- creaine every such inhabitant (as shalbe taxed, and refuse payment thereof) in his lands, goods, and cattels, and to sell such distresse, & of the sale thereof retaine and re- ceive all the money taxed, and the residue (if the distresse be better) to deliuer to the owner thereof. 22. H. 8. 5.

Collectors of *every Hun-* *dred.*

4 And the same Justices, or foure of them, within the limits of their Commis- sions, haue power to appoint two Surueyors, which shall see every such decayed

Surueyors *which shal* *see* *the* *Bridge* *repaired.*

Bridges.

Collectors &
Surueyors
account.

Bridge repaired from time to time as often as need shall require, to whose hands the said Collectors shall pay the said summes of money taxed and by them received: and euerie of the Collectors and Surueyors, their executors and administrators &c. from time to time shall make a true declaration and account to the Iustices of P. of the Shire, Riding, Citie, or Towne corporat, wherein &c. or to foure of the same Iust. whereof one to be of the Quorum, of the receipts, payments, and expences of the said summes of money. And if they or any of them refuse that to doe, then the same Iustices of peace, or foure of them, haue power to make P.oces against the said Collectors, Surueyors, &c. and euerie of them, by Attachments vnder their seales, returnable at the generall Sessions of the peace: and if they appeare, then to compell them to account as is aforesaid, or else if any of them refuse that to do, then to commit him to ward, there to remaine without baile or mainprie, til the said declaration and account be truly made. And the Iust. of peace, or foure of them, haue power to allow such reasonable costs and charges to the said Surueyors and Collectors, as by their discretion shall be thought conuenient. 22. H. 8. 5.

P.oces as
against the par-
ties in another
Shire which
should repaire
the Bridges.

5 And where any Bridge or Bridges lie in one Shire or Riding, and such persons inhabitants, bodies politike, lands or tenements which ought to bee charged to the making and amending thereof, lie and abide in any other Shire, or Riding, or where such Bridges bene within any Citie or Towne corporat, and the persons inhabitants, bodies politike, lands or tenements that owen to make or repaire any such Bridges, lye and be out of the said Cities or Townes corporat: In euerie such case the Iustices of peace of the Shire, Citie, or Towne corporat within the which such decayed Bridges or any part thereof shall be, haue power to enquire, heare, and determine all such annoyances being within the limits of their Commissions. And if the annoyance be presented, then to make p.oces into euerie Shire within this Realme, against such as owen to make or amend any such Bridges, so presented before them to be decayed, to the annoyance and let of the passage of the Kings subiects: And to do further in euerie behalfe in euerie such case as they might doe by authoritie of this Act, in case that the persons, lands, &c. which owen to be charged to the amending or making of such Bridges, or any part thereof, were in the same Shire, Riding, Citie, or Towne corporat, where such annoyance shall happen to be. 22. H. 8. 5.

Five Ports.

6 This Act shall not be prejudiciall to the libertie of the five Ports, or members of the same, for reformation of annoyances of Bridges within the said Ports and members: But the Wardens, Maiors, and Bailifes elected, and Jurates of the same Ports, and euerie of them, haue power to enquire, heare, and determine al manner of common annoyances of Bridges within the same Ports and members, and to make such p.oces, paines, tarations, and all other things within the same Ports and members, as the Iustices of peace may do in other Shires or places out of the same Ports, by vertue of this Act in euerie behalfe. 22. H. 8. 5.

Bridges de-
cayed and the
highway
thereunto ad-
ioyning.

7 Iustices of peace, or foure of them at the least, whereof one to be of the Quorum, haue power to inquire, heare, and determine in their generall Sessions, of all annoyances of Bridges broken in the highwayes, and of all annoyances of highwayes which lie next adioyning to the ends of the Bridges, and 300. foot from the same distant, and to make p.oces & paines against such as ought to be charged &c. And to do in euerie thing, concerning the making, repairing, & amending of euerie such highway, in as large maner as they may do, for the making, repairing, and amending of Bridges, by this Act. 22. H. 8. 5.

Seruing
P.oces.

8 All Sherifes and Bailifes of Liberties and Franchises, shall truly serue and execute such p.oces as shall come to their hands from the Iustices of peace before whom any presentment shall be had, for any annoyance of Bridges, according to the tenor and effect of the said p.oces to them directed, without fauour, affection, or

corruption, vpon paine to make such fine as shall be set vpon them, or any of them, by the said Iustices. 22.H.8.c. S.Iust.of peace 70.

1 No village, or free man, shall be distrained to make any Bridges, but such as are wont to doe it. S. Weares 1.

2 Eden and Prestbecke Bridges in the Countie of Cumberland. S. 43. El. 16.

3 Newport and Carlion Bridges in the Countie Monmouth. S. 39. Eliz. 23.

4 Wilton Bridge in the Countie of Hereford. S. 39. Eliz. 24.

5 Rochester Bridge in the Countie of Kent. S. 9. H. 5. 12. 18. El. 16. 27. El. 25.

6 Burford and Culhamford Bridges in the Countie of Oxford. S. 8. H. 6. 28.

7 Stanys Bridge in the Countie of Middlesex. S. 1. H. 8. 9.

8 Chepstow Bridge in the County of Gloucester and Monmouth. S. 18. El. 17.

3. Jac. 23.

9 Cardiffe Bridge in the Countie of Glamorgan. S. 23. Eliz. 11.

10 The Bridge by Vpton vpon Seuerne. S. 3. Jac. 24.

Brokers.

ND sale, exchange, patone, or mortgage, of any Jewell, plate, apparell, household stuffe, or other goods, of what kind, nature, or qualitie soener the same shall bee of, and that shall be wrongfully or vniustly purloyned, taken, robbed, or stolne, from any person or persons, or bodies politike, and which at any time hereafter shall be sold, vttered, deliuered, exchanged, patoned, or done away, within the Citie of London, or Liberties thereof, or within the Citie of Westminster in the Countie of Middlesex, or within Southwarke in the Countie of Surrey, or within two miles of the Citie of London, to any Broker or Brokers, or Patone takers, by any way or means whatsoeuer, directly or indirectly, shal work or make any change or alteration of the proprietie or interest, of, and from any person or persons, or bodies politike, from whom the same Jewells, plate, apparell, household stuffe, or goods, were, or shall be wrongfully purloyned, taken, or stolne; any law, custome, &c. not withstanding. 1. Jac. 21.

The sale of goods wrongfully gotten.

2 If any person or persons, or bodies politike, from whom any Jewells, plate, apparell, household stuffe, or any kind of goods whatsoeuer, shall be wrongfully purloyned, taken, stolne, or robbed, shall require and demand of any Broker or Patone taker, to declare whether any such goods be come to his or their possessions, and to declare, shew, & manifest the same, and how & by what meanes he had them, or came by the same, & how, when, & to whom he hath deliuered, conveyed, or bestowed and employed the same, And such Broker vpon any such request & demand to be made, shall denie, & refuse to disclose, tell, or manifest the same truly & iustly, shall forfeit to the true owner or owners of such Jewells, plate, apparell, household stuffe, & other goods, from whom the same were wrongfully purloyned, taken, stolne, or robbed, double the value thereof that shall be denied & refused to be disclosed, told, & manifested, as also; said: The same double value to be recovered by the true owner or owners of such goods, from whom they were wrongfully purloyned, stolne, &c. to be recovered by Action of debt, B. or P. in any of the R. Courts of Record at West. or within the Citie of London, wherein no C. W. or P. shall be allowed. 1. Jac. 21.

A Broker shall declare what stolne goods be come to his hands.

3 This Act shall not be prejudiciall to the auncient trade of Brokers within the Citie of London, vsing and exercising the auncient trade of Brokers between merchant and merchant, or other traders or occupiers within the said Citie and the Liberties of the same, being selected out of Companies whereof they are free and members, according to the auncient custome of the said Citie. 1. Jac. 25.

The auncient trade of Brokers.

1 For Brokers in buying of Wooll. S. Wooll 10.

2 For Brokers in vsurious bargaines. S. Vsurie 7.

Brewer. Buggerie. Burning.

Brewer.

No Bzeuwer
shalbe a
Coper.

If any Bzeuwer, which bzeuwereth Bzeu, or Ale, to sell, shall by himselfe, or other to his vse, occupie the myserie of Copers, or make Barrells, Alderkins, Firkins, or other vessels of wood, by himselfe, or any of his owne seruants, wherein to put his Bzeu or Ale to sale, he shall forfeit for euerie vessell made contrarie to the tenor of this Act, *ij. s. iij. d.* to the King and *l.* to be recovered by *A. l. 4c.* wherein no *W. l. C. p. 4c.* But a Bzeuwer, or an Ale Bzeuwer, may keepe in his seruice a Coper, to bind, hewe, pinne, and amend his vessels. *23. H. 8. 4.*

The pices of
Ale & Bzeu.

2. If an Ale or Bzeu Bzeuwer doe sell or take for any Barrell, Alderkin, or Firkin, of Ale or Bzeu, aboue such pices & rates as shall be assessed by the Iustices of *P.* in the Wyre, or by the *Sp.* or *W.* or head Officer of the Citie, Borough, or Towne *C.* where the said Ale or Bzeu Bzeuwer doth dwell, he shall forfeit for euerie Barrell so sold *vi. s.* for euerie Alderkin *ij. s. iij. d.* for euerie Firkin *ij. s.* for euerie lesse vessell *ij. d.* and for a greater than a Barrell *x. s.* to the *l.* and *l.* to be recovered by *A. l. 4c.* wherein no *W. l. C. p. 4c.* *23. H. 8. 4.* *S.* Iustices of peace *78.* Corporations *10.* Coopers *1. 2. 4. &c.*

Buggerie.

Buggerie.

The offence of Buggerie from henceforth shalbe adiudged felonie, and such order and forme of *P.*oces therein shal be vsed against the offendours, as in cases of felony at the Common Law. And the offendours being thereof conuict by verdict, confession, or outlawrie, shall suffer such paines of death, and losses and penalties of their goods, cattels, debts, lands, tenements, and hereditaments, as felons bin accustomed to doe according to the order of the Common Lawes of this Realme. And no person offending in any such offence shall be admitted to his Clergie. And the Iustices of peace shall haue power & authoritie within the limits of their Commissions and iurisdiccions, to heare and determine the said offence, as they doe vse to doe in cases of other felonies. *25. H. 8. 6.* *5. Eliz. 17.*

Burning.

Burning of
another mans
goods or
woods.

Whofoener both maliciously, willingly, and vnlawfully, burne, or cause to be burned, any *W.*aine, or Cart, laden with another mans goods, or any heape of wood of any other persons, prepared and felled for making of coals, billets, or tallwood, shall forfeit to the partie grieved treble damages, to be recovered by action of Trespasse, and to the king *x. l.* for a fine. *37. H. 8. 6.*

No burning
of ling,
heath, &c. in
certaine
Counties.

2. From and after the last day of Iulie next ensuing the end of this Session of Parliament, it shal not be lawful for any person or persons whatsoever, in the monthes of Aprill, May, Iune, Iulie, August, and September, nor in any of them, to raise, kindle, or begin, or cause or practise to be raised, kindled, or begun, any fires or *W.*re-burnings, in the Counties of *W.*orke, Durham, Northumberland, Cumberland, Westmerland, Lancaster, Darbie, Nottingham, & Leicester, or in any of them, for burning of ling, heath, hather, fures, goyse, furttes, fearne, whins, brome, or the like, neither to assist, further, nourish, nor continue the same. Add that all and euerie person and persons which from and after the last day of Iulie, shall offend contrarie to the true intent and meaning of this Statute, the same offence being proued by confession of the partie, or by the testimonie of two sufficient witnesses vpon oath, before one or more Iustices of the peace of the same Countie, Citie, or Towne *C.* where the offence shalbe committed, or the person or persons offend.

offending, apprehended, shalbe by the said Justice or Justices of the peace, for euery such offence committed to the common gaole of the Countie, Citie, or Towne or port, where the offence shall be committed, or the person or persons offending, apprehended, there to remaine for the space of one moneth, without baile or mainprise. And all and euery person and persons, which shall be so convicted, and imprisoned as aforesaid, shall not be enlarged from their said imprisonment, but shal there remaine after their said moneth expired, without baile or mainprise, until such time as euery such offender respectively shall pay, or cause to be paid, to the Churchwardens, or unto the Overseers of the poore of the Parish, or place where the same offence shalbe committed, or the offender or offenders apprehended, or unto some of them, to the use of the poore of the said Parish or place where the same offence shalbe committed, the summe of xx.s. for euery such offence committed or done contrarie to this Act. 7. Jac. 17. This Act to continue untill the end of the first Session of the next Parliament.

Butchers.

If any person being a Butcher, and vsing the mysterie of Butcherie, shall buy any fat Oxen, Stéers, Kents, Laine, Heifers, Calues, or Sheepe, and sel, or cause to be sold the same againe on line, he shall forfeit to the King and I. the same Oxen, Stéers, &c. bargained or sold, to be recovered by A. J. &c. wherein no W. C. P. &c. But euery person being a Butcher, and vsing the mysterie of Butcherie, shall and may at his pleasure buy any fat Oxen, Stéers, Kents, Laine, Heifers, Calues, and Sheepe, or any of them, out of any open faire or Market, so that hee sell not, nor cause the same to be sold againe on line. 3. & 4. Ed. 6. 19. 1. Jac. 25. To continue to the end of the first Session of the next Parliament.

A Butcher shall not buy cattell and sell them againe.

2 If any Butcher, or other person inhabiting within this Realme, Wales, or the Marches of the same, do kill, or cause to be killed, any Weaneling, Bullocke, Stéer, or Heifer, being vnder the age of two yeares, to the intent to sell the same whole, or by retails, he shall forfeit to the King and Informer for euery such weaneling killed, and put to sale, vi. s. viij. d. to be recovered by A. J. &c. wherein no W. C. P. &c. 24. H. 8. 9. 1. Jac. 25. To endure to the end of the first Session of the next Parliament.

Butchers shall kil no weanlings.

3 No Butcher or his seruant shall kill any beast within the scalding house in London, or within the wall of London, vpon paine to forfeit for euery Ox viij. d. and for euery Cow and other beast viij. d. to the B. & him that will sue by A. of debt, wherein no W. C. P. &c. And this Act extendeth and shalbe observed in euery City, Borough, and Towne walled within England, and in the Towne of Cambridge (the Townes of Berwicke and Carlisle excepted.) 4. H. 7. 3.

Butchers shall not kil cattell within any walled towne.

4 A Butcher that selleth Swines flesh melled, or flesh dead of the Poxein (after he shalbe conuicted therof) for the first time he shalbe grievously amerced, the second time he shall be iudged to the Pillorie, the thirde time he shall be imprisoned and make fine, and the fourth time he shall forswear the Towne. And in this manner shall it be done of all that offend in like case, as of Cokes that sell flesh or fish any wayes that is not wholesome for mens bodie, or after that they haue kept it so long, that it loseth the naturall wholesomenesse, then sell it againe and sell it. 5. 1. H. 3. 3. 1. Edw. 1.

A Butcher shall not sel melled nor poxein flesh.

Cokes.

- 1 Butchers shall not gash any hides. S. Leather 1.
- 2 Butchers shall not conspire to sell their victuals at certaine prices. S. Artificers 1.
- 3 A Butcher shall not kill a calfe vnder 5. weekes old. S. Leather 2.
- 4 A Butcher shall not be a Tanner. S. Leather 3.

Butler of the King. Butter &c. Buttes. Cables, &c.

Butler of the King.

The K. Butler shall take no more wines than shall be appointed.

The Steward of the K. house, and Treasurer of the Wardrobe, shall send to all the Ports of England where wines be to be taken to the Kings use, the certaine number which the Butler shall take in every part, so that nothing be taken over that number: And the Mayor and Bailiffs of the said Ports shall certifye the said Steward and Treasurer, of the number of all the tunnes so taken by the Butler, or his Lieutenant, vnder the seale of the said Mayor & Bailiffs, by Indentures made betwene them and the takers of the said wines. And in case that it be found that the Butler or his Lieutenant take more, or take reward of any, or delay any by colour of his office, or by arrest, he shall make gre to the partie of double, and shall be put out of his office, and shall be imprisoned, and punished at the K. pleasure: and the King shall appoint his Justices whom it shall please him, to inquire of these matters. And the Butler shall answer as well for his Deputies as for himselfe, where they be not sufficient. 25. Ed. 3. 21.

2 The Kings Butler, nor none of his Lieutenants, shall buy, imbrace, or take by colour of their office, nor in other maner, to their proper use, nor of others, more Wines for the Kings house & expences, than they haue in commaundement, vpon paine of imprisonment of their bodies, and to be punished at the Kings pleasure. And as much as they shall take by force of the said warrant, shall be taken within ten dayes, and that being done, the Merchants of the said Wines may, and it shall be lawfull for them, of the residue of the said Wines to make their profit, notwithstanding any arrest made vpon such Wines by the Butler, or any of his Lieutenants aforesaid. 43. Ed. 3. 3.

1 The Lieutenant of the Kings Butler shall make no Deputie. S. Customers.

Butter and Cheefe.

Butter and Cheefe bought to be sold againe.

If any person do buy to sell againe, any Butter or Cheefe, vnieste he sell the same againe in open Shop, Faire, or Market, and not in grosse, but by retails (that is to say, a wey of Cheefe, or a barrell of Butter, or lesse quantitie, and not aboue, sold at one time) or except he be an Inholder or Victualer, which uttereth the same butter or cheefe by retails in his house, he shall forfeit to the King and I. double the value of the butter and cheefe so sold, to be recovered etc. wherein no W. C. P. 4c. 3. & 4. Ed. 6. 21. 1. Lac. 25. To endure to the end of the first Session of the next Parliament.

1 No Butter or Cheefe shall be transported to any foreine Region without Licence. S. Corne 1.

2 For the weight of a wey of Cheefe. S. Weights 6.

Buttes.

The inhabitants in euerie Citie, Towne, and place, are compellable to make and continue Buttes, vpon paine to forfeit for euery three monethes so lacking, xx. s. And the said Inhabitants shall exercise themselves with long Bowes, in shooting at the same, and elswhere, on holie dayes, and other times conuenient. 33. H. 8. 9. S. Iust. of peace 63.

Cables, Halfers, Ropes.

Whence groweing within v. miles of Burport shall be sold there.

No person or persons dwelling or inhabiting within the distance of five miles from the Towne or Borough of Burport in the Countie of Dorset, shall sell, or

or cause to be sold out of the Packet, holden and to be holden within the same Town & Borough of Burport, to any person or persons, any Hempe which shall happen to grow within the said five Miles in distance from the said Town or Borough, upon payne of forfeiture of the said Hempe so sold, or to be sold in any place or places within the distance of the said five Miles out of the said town, Borough, or Packet, contrarie to the forme & effect of this Statute. The one halfe of which forfeiture shall be to the King, the other to the A. to be recovered by action of debt, Bill, or Information, wherein no W. C. P. 4c. 21. H. 8. 12.

2 No person or persons, other then such which shall dwell and be Inhabitants within the said towne of Burport, shall make out of the said Towne, any Cables, Halsers, Ropes, Traces, halters, or any other Tackle made of Hempe in any other place or places within the said distance of five Miles, from the said Towne, upon paine of forfeiture of the same Cables, Halsers, &c. made and to be made contrarie to the forme and effect of this Statute to the R. and J. to be recovered by A. B. J. wherein no W. C. P. 4c. Provided, that euery person dwelling within the said distance, may make Cables, Halsers, Ropes, Traces, and other Tackle for their owne vse and occupation, but in no wise against this Act. Provided alwaies, that twentie pound weight shall be accounted to the Stone. 21. Hen. 8. 12. 1. Iac. 25. To continue in force to the first Session of the next Parliament.

Cables and Tackle of Hempe shall be made in Burport.

20. lb. of hempe a Stone.

3 If any person or persons shall make or cause to be made any Cables of any old and ouerwozne stuffe, which shall containe aboute seven ynches in compasse: Then euery person so offending, shall forfeit foure times the value of euery such Cable so by him or her made, or caused to be made, as is aforesaid. 35. Eliz. 8.

Cables of old stuffe about 7. ynches.

4 If any person or persons shall tarre, or cause to be tarred any Halsers, or other Cordage made within this Realme, of such old and ouerwozne stuffe, as is aforesaid, being of lesser Assise, & not contayning in compasse by ynches, and shall after by way of resale, sell, or put to sale, or cause to be sold, or put to sale, the same being so tarred: Euery person so offending, shall forfeit the treble value of euery Cable, Halser, & other Cordage, being of lesser assise, and made of such old & ouerwozne stuffe, as is aforesaid, which shall be so sold, or put to sale, being tarred as aforesaid, to the R. and J. to be recovered by A. B. P. or J. wherein no C. P. or W. 4c. And furthermore, euery person which shall in any wise offend against the tenor and meaning of this Act, shall be imprisoned for the same during her or his pleasure. 35. Eliz. 8.

Cables of old stuffe under 7. ynches.

Imprisonment

Captaines, Souldiers, Musters.

If any Souldier seruing the King in his Marches, in any his Dominions, or on the Sea, beyond the Sea, or in Scotland, do sell, giue away, or wilfully purloine, or otherwise exchange, alter, or put away any Horse, Gelding, or Mare, or any Harneis wherewith he shall be set forth, then he (upon due proofe or testimonie to be taken before the Lieutenant, high Admirall, the Kings Deputie, vice-Admirall, Wardein, or Captain, and in their absence before any of their Deputies) shall be imprisoned by the same Lieutenant, or any other before named, there to remaine without bayle or mainprise, vntill he hath satisfied to the owner of the Horse, Gelding, Mare, or Harneis, so by him sold, purloyned, exchanged, &c. (And also the said sale made by such Souldier to any person knowing him to be a Souldier, shall be void against him that set forth the said Horse, Harneis, and weapon. 4. & 5. P. & M. 2.) And if such Souldier so offending, fortune to escape from the Lieutenant, and other the aforesaid persons, without the punishment and restitution aforesaid: Then the same Souldier upon complaint made by the partie grieved, or his executors, or administrators, upon due proofe thereof to be made, to any Justice or Justices

Souldier making away his Horse or Harneis.

Captaines, Sculdiers, Musters.

Offices of peace in the parts where such souldier shall be found, shalbe by such Justice &c. committed to ward, there to remaine without baile or mainprise, untill he hath satisfied the partie griued, his executors or administrators, of, or for such horses, geldings, mares, and harnes, so by him wilfully lost, exchanged, &c. 2.Ed. 6. 2. S. Iust. of Peace 84.

If the horse or
armour be lost
in service, or
appointed to
another.

He to whom
the horse or ar-
mour is assign-
ed, shall satis-
fie the owner.

A souldier or
gunner depart-
ing from his
captaine with-
out licence.

A captaine li-
cencing a sould-
ier to depart.

A Captaine
doth discharge
one appointed
to serue.

A Captaine
demanding
more wages
than there is
cause.

2 But if the said souldier bring any sufficient warrant or testimonie befoze the said Justice, from the said Lieutenant, or any of the persons aboue named, in writing vnder the Seals of any of them, testifying, that the same horse or harnes were lost in the R. service, against the wil of the said souldier, or that the same horse or harnes were taken by the same Lieutenant, or any of the others befoze named from the same souldier for any reasonable respect, and appointed to some other to serue in the place of the said souldier, then every such souldier not bringing to the owner the said horse and harnes, shall be discharged thereof against the said owner: And then every such souldier, to whom the said horse or harnes shall be appointed, as is aforesayd (not bringing home to the owner the said horse and harnes after he shall be discharged) shall suffer like paine as aforesaid. 2. Ed. 6. 2.

3 If any Souldier, man of Armes, or Archer, which hath taken parcel of his wages of his captaine, hath mustered, and is entred of record the R. souldier (or any Hariner or Gunner taking prest or wages to serue the R. her heires or successors on the Sea. 5. El. 5. 1. Jac. 2. 5.) doth not passe the Sea, or goe with his Captayne (except notorious sicknesse or impediment by Gods visitation doth stay him, which he shall immediatly certifie to his Captaine, and repay his money) or else being in the enemies Country in garrison, or elsewhere in the Kings service where he is appointed to serue, doth depart without licence of the R. Lieutenant, Deputie, High Admirall, Vice-admirall, Warden, Captaine, or in their absence, of their deputies, then he shall be taken, indged, and executed as a felon. 18. H. 6. 19. 2. Ed. 6. 2. 4. & 5. P. & M. 3.

4 If any Captaine appointed to haue the order of any number of souldiers, vnder any other higher Officer, do for any cause licence any souldier in his retinue, to part from the field or fortresse where they shall be appointed to serue, without the speciall assent and licence in writing, of the Lieutenant, Deputie, High Admirall, Vice-admirall, Warden, Captaine, or in their absence, of their Deputies, hee shall forfeit to the king for every such souldier so licensed to depart xx. l. to be leuiued of his goods and chattels. And if any Captain do giue to any of his souldiers appointed to serue vnder him in any Towne or Fortresse kept with garrison of souldier, any licence or passport to depart from his service, but only the Lieutenant or others befoze named, the Captaine and souldiers so offending shalbe imprisoned at the discretion of the said Lieutenant or others &c. 2. Ed. 6. 2.

5 If any Commissioner or Captain, to whom the King shal direct his commandement by Commission, or Letters, for the leuying or setting forth of any men to serue in his wars, shal for any reward or lucre discharge any person by him appointed to serue the King as Captaine, Souldier, or Prisoner, of his service so appointed, and do assigne any other person in his stead, for any lucre or gaine, then he so offending shall forfeit to the King for every such default, of euery man so discharged xx. l. to be leuiued of his goods and chattels. 2. Ed. 6. 2.

6 If any Lieutenant, Deputie, Admirall, Warden, Captaine, &c. hauing the order of any number of souldiers seruing vpon the Sea or Land, doe demand, receive, or take of the King, or any of his Treasurers, any wages for any more Souldiers than serued in such manner and forme as the wages was payed for, or for any more dayes than such souldier serued, and doe not note the day of euerie souldiers entrie into wages, and day of his death and departure, & deliuer the same to such Treasurers as shall pay the sayd wages euerie moneth, in writing, so as the

the truth of the number of the Souldiers may appeare to the Kings Treasurer, and after of the Musterers, so the time being: When every such Lieutenant, Deputy, Admirall, &c. so offending, shall forfeit to the King for every such default v. l. and be imprisoned by the space of a moneth, and lose his office and countie. But no Lieutenant, or other person aforesaid, shall be charged or prejudiced for lacke of his number retained, so, or concerning any Souldier which shall happen to dye during his service, or to be sicke by the visitation of God, or that shall depart against the will of his Lieutenant, or &c. unlesse it shall be in default of any of them. 2. Edward 6. 2.

7 This Statute is not prejudiciall to the Lieutenant, or any other the said persons, or any other, nor any of them, having under them retinue of Souldiers, for not paying the Kings wages to their household servants, and other to whom they will dayly find and give meat and drinke, during the sayd service of warre, or for detaining any part of any of the souldiers wages, toward or for the payment of victuals, harness, weapons, or for any prest money provided and delivered to any such Souldier. 2. Ed. 6. 2.

8 It is lawfull to every Lieutenant, Deputy, Admirall, &c. to retaine in his owne hands, to his owne use, of the wages of his Souldiers, these summes following, that is to say, vi. s. viij. d. for the Livery or Coat of every Peoman Souldier, xij. s. iij. d. for the Livery or Coat of every Gentleman Souldier, for a whole yere. 2. Ed. 6. 2.

9 This Statute doth not charge any person for the receiving of any gift or reward of any of his tenants or friends, toward the ayd, helpe, or reliefe of the same person, being commaunded by the King to serve in warres, or otherwise to find men on horsebacke or on foot, as well within this Realme as without, nor for the gift, reward, ayd, or helpe reserved, or covenanted to be paid or given to any person appointed to serve in warres, or to find horse or men to serve, by reason of any graunt, covenant, reservation, custome, or tenure. 2. Edw. 6. 2. But no person shall by colour hereof exact, demand, or lewie any summe of money, horse, armour, or other thing, other than shall be employed forthwith in the present service of those warres of the Quenes, for which it was lewied: the which summe of money, horse, armour, or other thing, or as much thereof as shall not be spent, lost, or consumed in the said service, shall be restored to such person as paid and delivered the same, upon the penalties and forfeitures aforesaid. 4. & 5. P. & M. 3. *Quere* what these forfeitures be.

10 If a Lieutenant of an armie doth not in every field under his charge, proclaim the whole effect and contents of this Act, every moneth, and every of the 15. Deputies and Captains of any Fortresse, proclaim it within his charge once every quarter of a yere, he so offending shall forfeit x. l. 2. Ed. 6. 2.

11 Every person giving to the Lieutenant, or the others above named, true information of any offence above remembered, shall have for his labour one monethes wages of him that shall be found faultie, to be paid by the hand of the Treasurer, upon warrant of the Lieutenant, or &c. 2. Ed. 6. 2. 4. & 5. P. & M. 3.

12 If any person which shall be commaunded, generally or specially, to muster before any such as shall have authority or commaundement for the same by or from the Quene, her heires or successors, or by any Lieutenant, Warden, or other person authorized for the same, doth willingly absent himselfe from the same Muster, having no true and reasonable excuse of sickness, or other lawfull impediment, or at his apparance at such musters, doth not bring with him such his best furniture, array, and armour, as he shall then have for his owne person in a readinesse, he shall for every such offence suffer ten dayes imprisonment, without bayle or mainprise, by the commaundement of such as shall have authoritie to take the same musters, unlesse

Retaining of wages.

Causes to retaine the souldiers wages.

Reliefe of friends or tenants toward service in war.

Quere.

Proclamation of this Act.

The reward of the Informer.

Absenting from the Muster, or not bringing his best furniture.

Captaines, Souldiers, Musters.

vnlesse hee doe agree with the sayd Commissioners, or two of them, to pay to the use of the Quene &c. for euerie such offence fortie shillings for a fine, which fine after the agreement for the paiement of the same, shall be certified and extracted into the Exchequer, by such as haue power to take the said Musters, or two of them vnder their Seales, within two monethes next after such agreement, and then shall be leuied as fines assessed by Iustices of Assise or Gaole delinerie in their circuits are vsed to be. 4. & 5. P. & M. 3.

Dwellers in Cities shalbe mustered only within the same.

13 No person inhabiting within any Citie, Borough, or Towne or port, being a Countie of it selfe, or in which any Iustices of peace be, or hereafter shall be by Charter, shall be compellable by vertue of this Act, to make his appearance with such furniture as is aforesaid, at any Muster to be had or taken out of the suburbs, precinct, or liberties of the same Citie, Borough, or Towne, nor before any person or persons authorized by Commission, or otherwise, as is aforesaid: vnlesse the Mayor or other head Officer of such Citie, Borough, or Towne, and one other discreet inhabitant of the same at the least, be ioyned in the same Commission or other authority with the same person or persons so authorized. 4. & 5. P. & M. 3.

Muster Masters taking reward to discharge others.

14 If any person which shalbe commanded by the Quene, her heires or successors, by Commission, Letters, or otherwise authorized to leuie, Muster, or make any men to serue in her wars, or otherwise for the defence of this realme, do by any meane exact, leuie, receiue, or take, or cause to be taken any money, or other reward or thing whatsoeuer of any person for seruice in the wars, or that shal be appointed, named, or mistrusted to serue in any such seruice, or for the sparing or discharging of such person from the said seruice, then he shall forfeit ten times so much as he shall receiue, exact, or take, to the M. and J. to be recovered by A. J. &c. wherein no W. C. P. &c. But this Act doth not take away or discharge any tenant or farmer of his seruice or covenant towards his Lord, for the finding of horse, armour, or weapon, or for doing of seruice by himselfe, or by any other (which by the tenore of his land otherwise he is bound to do) but he shall do, yield, and pay the same &c. as before hee should. 4. & 5. P. & M. 3. No man shalbe constrained to find men of Armes, Bowlers, or Archers, saving they which hold by such seruice, if it be not by common assent or grant made in Parliament. 25. Ed. 3. 8.

The tenants service to his Lord.

A Captaine doth licence his souldiers to depart, or doth not pay their wages.

15 If any Captaine, petit Captaine, or other, hauing charge of men for seruice in warre, shal for any aduantage or gaine by him to be receiued, discharge or licence any of the men or souldiers (appointed to serue in the warre vnder his rule or order) to depart from the same seruice, or shall not pay vnto his souldiers and to euerie of them, their full and whole wages, conduct, and coat money, within tenne dayes next after he shall haue receiued the same, then the partie offending in giuing such licence or discharge, shall forfeit for euery such offence tenne times the value of the thing so receiued to the Quene and J. to be recovered by A. J. wherein no W. C. or P. &c. and shall also pay to euerie such souldier from whom he shall withhold any such wages, conduct, or coat money, treble the summe so withholden. 4. & 5. P. & M. 3.

By whom offences shall be reformed.

16 If any offence touching Captains, petit Captaines, or other, hauing charge of men, shall be committed during the time that any armie or number of men, being vnder a Lieutenant, shall be assembled, and continue together, or by any Captaine, &c. that shall serue any Lord Warden, or other Chiefetaine, then vpon complaint thereof, the Lord Lieutenant, Warden, or other Chiefetaine, during the time of his Commission, shall and may heare, order, and determine the same offences by his or their discretions. And if any Captaine, petit Captaine, &c. shall be once convicted or ordered by vertue of this Act, for any offence aforesaid, he shall not be effronies depea, troubled, sued, or conuicted for the same offence. 4. & 5. P. & M. 3. S. Iustices of peace 26. Lects 10.

An offence but once punished.

17 Euerie Parish within this Realme of England and Wales, shall bee charged to pay weeklye such a summe of money towards the reliefe of sicke, hurt, and maimed Souldiers and Partners, that haue lost their limmes, or shall lose their limmes, or disable their bodies, haniug bene prest, and in pay for the Duenes service, as by the Iustices of peace, or the moze part of them, in their generall Quarter Sessions, to be holden in their severall Counties, next after the feast of Easter next, and so from time to time at the like Quarter Sessions, to bee holden next after Easter, yearely shall bee appoynted, so as no Parish bee rated about the summe of tenne pence, nor vnder the summe of two pence, weeklye to bee payed, and so as the totall summe of such taration of the Parishes, in any Countie where there shall bee above fiftie Parishes, doe not exceed the rate of six pence for euerie Parish, in the same Countie: Which summes so taxed, shall bee yearely assessed by the agreements of the Parishioners within themselves, or in default thereof by the Churchwardens, and the petit Constables of the same Parish, or the moze part of them, or in default of their agreement, by the order of such Iustices or Justice of peace, as shall dwell in the same Parish, or if none be there dwelling, in the parts next adioyning. And if any person shall refuse or neglect to pay any such portion of money so taxed, it shall bee lawfull for the sayd Churchwardens and petit Constables, and euerie of them, or in their defaults, for the sayd Iustices of Peace, or Justice, to leuie such summe by distresse, and sale of the goods or chattels of the partie so refusing, or neglecting, rending to the partie the ouerplus rayled vpon such sale.

Euerie parish charged with a weekly sum towards the reliefe of souldiers.

The taration of euerie parish

Refusing to pay the money taxed.

43. Eliz. 3.

18 The Churchwardens and petit Constables of euerie Parish shall truly collect euerie such summe, & the same shall pay ouer vnto the high Constable, in whose diuision such Parish shall be situate, tenne dayes befoze the Quarter Sessions, to be holden next befoze, or about the feast of the Nativite of S. John Baptist next, in the Countie where the sayd Parish shall be situate, and so from time to time quarterly within tenne dayes befoze euerie Quarter Sessions: And euerie such high Constable, at euerie such Quarter Sessions in such Countie, shall pay ouer the same to two such Iustices of peace, or to one of them, or to two such other persons, or one of them, as shall be by the moze part of the Iustices of peace of the same Countie elected to be Treasurers of the said collection: The same other persons to be elected Treasurers, to be such, as at the last taration of the Subsidie next befoze the same election, shall bee valued and fessed at tenne pounds in lands yearely, or at forty pounds in goods: Which Treasurers in euerie Countie so chosen, shall continue but for the space of one whole yeare, and then giue vp their charge, with a due account of their receipts and disbursements, at their meeting in Easter Quarter Sessions, or within tenne dayes after, to such others as shall from yeare to yeare in the same aforesaid, successively be elected. And if any Churchwarden, petit Constable, or high Constable, or his Executozs, or Administratozs, shall faile to make payment in some aboue specified, then euerie Churchwarden, and petit Constable, his Executozs or Administratozs, so offending, shall forfeit the summe of twentie shillings: And euerie high Constable, his Executozs or Administratozs, the summe of forty shillings, to be leuied by the Treasurers aforesaid, by distresse and sale, in manner befoze expressed, and to be taken by the said Treasurers, in augmentation of their stocke, to the vles aforesaid. If any Treasurer, his Executozs or Administratozs, shall faile to giue vp his account within the time aforesaid, or shall be otherwise negligent in the execution of his charge, then it shall bee lawfull for the moze part of the Iustices of Peace of the same Countie, in their Sessions, to assesse such fine vpon vpon such Treasurer, his Executozs, or his Administratozs, as in their discretions shall seeme convenient, so it be not vnder the summe of five pounds.

Churchwardens shall pay to the high Constables the money taxed.

A Treasurer failing of account, or neglecting his charge.

Elizab. 3.

Captaines, Souldiers, Musters.

To which 19 Every Souldier or Hariner, hauing had his or their limmes lost, or disabled in their bodies by seruice, being in her Maiesties pay, as aboue is mentioned, or such as shall hereafter retorne into this Realme, hurt or maymed, or grievously sicke, shall repaire, if he be able to trauell, and make his complaint to the Treasurers of the Countie out of which he was pressed, or if he were no prest man, to the Treasurers of the Countie where he was bozne, or last inhabited by the space of thye yeares, at his Election. And if he be not able to trauell, to the Treasurers of the Countie where he shall land, or arriue, and shall bring a Certificat vnto any of the Treasurers aforesayd, vnder the hand and Seale of the Generall of the Campe, or Gouernour of the Towne, wherein he serued, and of the Captaine of the Band, vnder whom he serued, or his Lieutenant, or in the absence of the said Generall or Gouernour, from the Marshall or Deputie of the Gouernour, or from any Admirall of her Maiesties Fleet, or in his absence, from any other Generall of her Maiesties Ships at the Seas, or in absence of such Generall, from the Captaine of the Ship, wherein the sayd Hariners or Souldiers did serue the Duene, containing the particulars of his hurts and seruices: which Certificat shall be also allowed by the generall Muster Master for the time being, resident here within this Realme, or Receiuor generall of the Muster Rolls, the Treasurer and Controller of her Maiesties Paie, vnder his hand, for the auoyding of all fraud and counterfeiting: When vpon such Certificat, such Treasurers as are before expessed, shall according to the nature of his hurt, and commendation of his seruice, assigne vnto him such a portion of reliefe, as in their discretions shall seeme conuenient for his present necessitie, vntill the next Quarter Sessions, at the which it shall be lawfull for the moze part of the Iustices of P. vnder their hands, to make an Instrument of Graunt of the same, or like reliefe, to endure, as long as this Act shall stand or endure, in force, if the same Souldier or Hariner shall so long liue, and the same pention not be duely reuoked, or altered, which shall be a sufficient warrant to all Treasurers for the same Countie, to make payment of such pention vnto such persons quarterly, except the same shall be afterward by the sayd Iustices reuoked or altered: So that such reliefes as shall be assigned by such Treasurers or Iustices of peace, to any such Souldier or Hariner, hauing not bozne Office in the sayd warres, exceed not the summe in grosse nor yearely pention of tenn pounds: nor to any that hath bozne Office, vnder the degree of a Lieutenant, the summe of fiftene pounds: nor to any that hath serued in the Office of Lieutenant, the summe of twentie pounds. And yet neuerthelesse, it shall and may be lawfull to and for the Iustices of peace, and others, hauing authoritie by this Act, to assigne pentions to Souldiers and Hariners, vpon any iust cause, to reuoke, diminish or alter the same, from time to time, according vnto their discretions, in the generall Quarter Sessions of the peace, or general assemblies for Cities or Townes corporate, where the same pention shall be granted. 43. Eliz 3.

who shall 20 And whereas it must needs fall out, that many of such hurt and maimed Souldiers and Hariners doe arriue in Ports and places, farre remote from the Counties, whence they are by vertue of this Act to receiue their yearely Annuities and Pentions: As also they are prescribed by this Act, to obtaine the allowance of their Certificats from the Muster Master, or Receiuor generall of the Muster rolls, who commonly is like to abide about the Court, or London, so as they shall need at the first, prouision for the bearing of their charges to such places: It may be lawfull for the Treasurers of the Countie, where they shall arriue, in their discretion, vpon their Certificat (though not allowed) to giue them any conuenient reliefe for their iourney, to carrie them to the next Countie, with a Testimoniall of their allowance, to passe on towards such a place. And in like manner shall it be lawfull

Treasurer the Souldier shall repaire for reliefe.

who shall make the souldiers Certificat.

Allowance of the Certificat.

Treasurers shall assigne reliefe to souldiers.

Iustices shall grant reliefe to Souldiers.

How much reliefe shall be assigned.

The Iustices may alter the reliefe of a Souldier.

Souldiers arriuing farre from the place where they are to haue reliefe.

full for the Treasurer of the next Countie to doe the like. And so from Countie to Countie (in the direct way) till they come to the place where they are directed to find their maintenance, according to the Tenor of this Statute. 43. Elizabeth.

3.

21 Every the Treasurers in their severall counties, shall keepe a true booke of Computation, of all such summes as they lewie, and also a Register of the names of every such person, unto whom they shall have disbursed any reliefe: And shall also preserve, or enter everie certificate, by warrant whereof such reliefe hath bene by them disbursed. And also the Muster-Master, or Receivor generall of the Muster rolles shall keepe a Booke, wherein shall be entred the names of all such, whose Certificats shall be by him allowed, with an Abstract of their Certificats. And everie Treasurer returning, or not accepting the certificat brought unto him from the said Muster-Master, shall write and subscribe the cause of his not accepting, or not allowing thereof, under the sayd Certificat, or on the backe thereof. 43. Eliz. 3.

The Treasurers booke of Computation and Register.

22 If any Treasurer shall wilfully refuse to distribute and give any reliefe, according to the forme of this Act, it shall be lawfull for the Just. of P. in their Quarter Sessions, to fine such Treasurers by their discretions, as aforesaid: The same fine to be levied by distresse, and sale thereof, to be prosecuted by any two of them, whom they shall authorize. 43. Eliz. 3.

A Treasurer refusing to give reliefe.

23 Every Souldier or Harrier that shall be taken begging in any place, within this Realme: Or any that shall counterfeite any Certificat in this Act expressed, shall for ever lose his annuities, or pension, and shall be taken and adjudged, as a common Rogue, or Vagabond person, and shall have and sustaine the same, & like paines, imprisonment, and punishment, as is appointed and provided for common Rogues, and Vagabond persons. 43. Eliz. 3.

A Souldier begging or counterfeiting a Certificat.

24 All the surplusage of money which shall be remaining in the stocke of any Countie, shall by the discretion of the more part of the Just. of Peace in their Quarter Sessions, be ordered, distributed, and bestowed upon such good and charitable uses, and in such forme as are limited and appointed in the Statutes made & now in force, concerning the reliefe of the poore, and punishment of rogues and beggars. 43. Eliz. 3.

The surplusage of the stocke.

25 Provided alwaies, That the Just. of P. within any Countie of this realm, or Wales, shall not intromit or enter into any Citie, Borough, place, or towne corporate, where is any Just. of P. for any such Citie, Borough, place, or towne corporate, for the execution of any Article of this Act: But it shall be lawfull to the Justice and Justices of peace, Sheriffs, Bailiffs, and other head officers of those cities, boroughes, places, and townes corporate, where there is any Just. of peace, to proceede to the execution of this Act, within the precinct and compass of their Liberties, in such manner as the Justices of Peace in any countie may doe, by vertue of this act: And that every Justice of Peace within every such Citie, Borough, place, or towne corporate, for everie offence by him committed, contrarie to the meaning of this Statute, shall be finable, as other Justices of the Peace, at large in the Counties are in this act appointed to be: And that the Sheriffs and Justices of P. in every such Citie, Borough, place, and towne corporate, shall have authoritie by this Act, to appoint any person, for the receiving of the said money, and paying the same, within such Citie, Borough, place, or towne corporate: which person so appointed, shall have authoritie to doe all such things, and be subject to all such penalties, as High Constables, by vertue of this Act, should have or be. 43. Eliz. 3.

Chief officers in corporate townes.

26 All forfeitures to be forfeited by any Treasurer, Collector, Constable, Churchwarden, or other person, for any cause mentioned in this Act, shall be employed,

How the forfeitures shall be employed.

ployed to the reliefe of such Souldiers and Mariners, as are by this Act appointed to take and haue reliefe: and after that reliefe satisfied, then the ouerplus thereof, with the ouerplus of the stocke, remaining in any the said Treasurers hands, shall be imployed, as is before mentioned, to the charitable uses expressed in the said Statutes, concerning the reliefe of the poore, and for punishment of Rogues and Beggers, except the said Iustices or the moze part of them, shall thinke meet to reserve & keepe the same in stocke, for the maintenance and reliefe of such Souldiers & Mariners, as out of the same Countie may afterwards be appointed to receiue reliefe and pensions. And that the reliefe appointed to be giuen by this Act, shall be giuen to souldiers & mariners out of the countie, or place where they were pressed, so far forth as the Taxation limited by this Act, will extend. And if the whole Taxation there, shall be before imployed according to the meaning of this Act, or that they shall not be pressed men, then out of the place where they were bozne, or last inhabited by the space of three yeeres, at his or their election. 43. Eliz. 3.

Pensions
assigned to
Souldiers
shall in force,
though the
Statute be
repealed.

27 Euerie pension assigned heretofore to any Souldier or Mariner, or that shall be assigned, before the said Feast of Easter next, notwithstanding the discontinuance of the statute of 35. Eliz. 4. 39. Eliz. 2. 1. shall stand in force, and shall petye from and after the said feast of Easter next, be satisfied & paid, out of such taxations & forfeitures, as shall be made, collected, & leuied by force of this Act, so long as the said pension shall remaine in force, without such reuocation, or diminishing, as is before in this Act mentioned: Which clause of reuocation, or diminishing, before mentioned, shall extend as well to pensions heretofore assigned, as to such as at any time hereafter, before or after the said Feast of Easter, shall be assigned to any person or persons. 43. Eliz. 3.

Taxations
made, and not
leuied.

28 All arerages of Taxations heretofore made, by vertue of the said former statutes, or any of them, which shall be or remaine at the said Feast of Easter next, uncollected, & not receiued, or leuied, shall & may by authoritie of this act, be had, receiued, & leuied by such persons, & in such manner & forme, as in euery respect Taxations made by vertue of this Act, are appointed to be collected, receiued, and leuied, and shall be imployed vnto the uses expressed in this Act, and no otherwise. 43. Eliz. 3.

If the rate be
not sufficient
for the souldiers
in London.

29 If the said rate shall be thought not to be sufficient for the reliefe of such souldiers and mariners, as shall be to be relieued within the City of London, then it shall be lawfull for the Mayor, Recorder, & Aldermen of London, or the moze part of them, to rate & take such reasonable rate, summe & summes of money for the said reliefe, as shall be to them thought fit and conuenient: So as such summe and summes of money, so to be rated, do not exceede iij. s. weekly out of any parish: and so as in the total, the summe shall not exceede, or be vnder xij. d. weekly out of euery parish, one with another, within the said City and the Liberties thereof. 43. El. 3. 1. Jac. 25. To continue vntill the end of the first Sessions of the next Parliament.

Castles.

Castle-ward.

No Constable shall distraine any man to giue any money for the keeping of a Castle, if he will doe it himselfe, or procure any sufficient man for him. And if the King doe carrie him with him, or send him vnto his warres, he shall be free from Castle-ward, during the time that he is in the Kings host, for that service which he did in nights seruice in the armie. Magna Charta, 9. H. 3. 20. S. Douer Castle. 32. H. 8. 48.

1 What Purveyance, and in what manner shall be made to victuall a Castle. S. Purveyors 6.

Card,

No person or persons whatsoever shall bring, send, or convey, or cause to be brought, sent, or conveyed into this Realme of England, or Wales, from the parts beyond the Seas, any Cards for Wooll to be sold, bartered, or exchanged within this Realme of England, or Wales, upon paine to forfeit all such Cards for Wooll, so to be brought, sent, or conveyed, contrary to the true meaning of this Act, in whose hands soever they or any of them shall be found, or the value thereof to the Queen, and him or them that will sell the same, or sue therefore in any of the Courts of Records, by A. B. P. J. or otherwise, wherein no W. C. p. 4. 39. El. 14. 1. Jac. 25. to endure unto the end of the first Session of the next parliament.

No Cards for wooll shall be brought into this realm.

Cattell.

If any person do buy any Oxen, Kents, Stiers, Hine, Heifers, Calves, Sheepe, Lambs, Goats, or Hogs, living, and sell the same againe alive (except he keepe & feed the same by the space of five weekes in his owne house, ground, farme, or in such ground where he hath the herbage or common of pasture by grant or prescription) he shall forfeit the double value of the Cattell, or things so bought & sold againe, to the R. and J. to be recovered by A. J. &c. wherein no W. C. p. 4. 5. Ed. 6. 14. 13. El. 3.

Buying of cattell, & selling within five weekes.

2 If any person doe buy, or conclude to buy any Oxen, Stiers, Hine, Heifers, Calves, but onely in the open faire or Market, where the same shall happen to be brought and put to sale, (except it be for the provision of his household, farme, or dairie, or except it be a Butcher which shall not sell the same againe alive) or shall sell the same againe alive, at, or in the Market or faire where he bought the same, during the time of the said faire or Market, he shall forfeit the double value of the cattell &c. so bought or sold, to the R. & J. to be recovered by A. J. &c. wherein no W. C. p. 4. 3. Ed. 6. 19. 1. Jac. 25. to continue until the end of the first Session of the next Parliament.

No cattell shall be bought but in the faire or Market.

3 If any person which shall keepe or feede above the number of six score share Sheepe, save the most part of the same upon his Pastures, Lands, fringes, or Farmes, which he continually severall and mette for which hine, (and wherein neither person or Oxen, Anno Domini 1555. had common for cattell any time of the year) do not keepe so every lx. share Sheepe, one which Cote, and for every xl. score share Sheepe reare up yerely one Calf, so long as he shall keepe or feede the said number of xl. score share Sheepe, he shall forfeit for every Cote not kept so every month xx. s. & for every Calf not reared xx. s. to the R. & J. to be recovered within one year after the offence &c. by A. J. &c. wherein no W. C. p. 4. 1. & 3. Ph. & M. 2. The said former Act, and the paines and penalties therein contained, shall from and after the feast of St. Michael the Archangell now next ensuing, be extended, and construed, taken, expounded and adjudged to extend as fully to all intents, constructions, and purposes, with the same provisions, and in like manner, to all and every the grounds apt and meete for which hine, since the making of the said Act inclosed, or hereafter to be inclosed, and not to be layen open to common at any time of the year, and to the occupiers thereof, as to the grounds before the said Act made severall, and wherein none had interest at common at the time of making the said Act, and as to the occupiers thereof, and as if the said grounds so lately inclosed, and hereafter to be inclosed and made severall, had bene inclosed and bene severall, at the time of the making of the said Act, and as if no person nor persons other then the owners thereof, then had had interest of common therein: Any

3 Cotes shall be kept for 60 share, and a calf for 120.

The stat. of 1 & 3. P. & M. shall be extended to ground inclosed or hereafter to be inclosed.

Certificat of Conuicts.

word, sentence, or clause in the said former Act, to the contrarie in any wise notwithstanding. 7. Jac. 8.

I coto foz ten
beastis foz, &
foz two hinc a
casse.

4 If any person which doth keepe or feed upon his severall Pastures above the number of xx Oxen, Kents, Stæres, & crubs, Hefes, or nine, doth not foz every x. beastes keepe one spitch Cow, & foz every y. nine, weane and reare by yerely one Calf (except it chaunce to die) he shall foz. vi. supra. & provided, that no person shalbe compelled to keepe any nine, or reare any calves foz such sheepe or other beastes, which he kepeth & feedeth onely to be spent in his house. 2. & 3. Ph. & M. 3. r. 3. Eliz. 25. S. Iustices of Peace 28.

Certificats of Conuicts.

Certificat into
the B. Bench
of every Out-
lary, attain-
der, & conuict-
on.

If any Clerke of the Crowne, Clerke of the Peace, or Clerks of Assise, where any Attainder, conviction, or outlary of Felony shal be before the Iustices of Peace, Gaole Delivrie, or Oyer and Determiner, do not certifie a brieve Transcript, containing the tenor & effect of every Indictment, Outlary, Conviction, clerke attaint, that is to say, the name, surname, and addition of every person so indicted, & thereupon outlawed, convicted, or clerke attaint, & the certaintie of his Felonie, or other offence, and the day and place when and where it was done, the day and place of his Outlary, Conviction, and Attainder into the Kings Bench, within xl. dayes next after such Attainder, Conviction, or Outlary (if the Terme then be open) & if not, within xx. dayes next after the beginning of the Terme next following the said xx. dayes: The said Clerke before whom such Attainder, Outlary, or Conviction &c. shall be made, shall fozfeit foz every such default of not certifying of every such Record, foztie shillings to the King and J. to be recovered by A. J. &c. where in no W. &c. E. P. &c. And the Clerke of the Crowne in the Kings Bench shall receive the same Certificats and Transcripts, whensoever they shalbe tendered unto him by any of the aforesaid Clerkes of the Crowne, of the Peace, or of Assise, or their Deputies, upon paines of forfeiture of xl. s. foz every certificat by him refused. 34. H. 8. 14.

The Clerke
of the Crowne
shall receive
the certificats.

The names of
those onely
which be at-
tainted, convic-
ted &c. shalbe
certified.

3 But if there be moze persons named in any such Indictment, other then such person attainted, convicted, or outlawed, the said Clerkes shal certifie the Transcript of such indictment, outlary, or conviction, onely concerning such person or persons so indicted & attainted, outlawed, or convicted, into the B. Bench: which Transcript so certified, shalbe taken as evidenc in law, to all intents, against such person against whom it shalbe objected or pleaded, as if the verie record thereof (whereupon he was indicted) were present. 34. H. 8. 14.

Clerke of the
Crowne shall
certifie the
name of con-
vict to the
Iustices.

3 If the Clerke of the Crowne in the B. Bench foz the time being do not incontintently & without delay certifie to the Just. of gaole delivrie, and Just. of peace of every countie of this Realme (which shal write unto him foz the same) the names & surnames of such persons which be so attainted by outlary, clerkes attainted, or convicted, and certified into the B. Bench, and the causes why & wherefore they were attainted or convicted, he shall foz. foz evencie name so written foz, and not certified by him to the said Iustices, xl. s. 34. H. 8. 14.

No certificate
out of Wales,
Chester, Lan-
caster, Durh.

4 This Act shal not extend to the Clerkes of the Crowne, Clerkes of the Peace, Clerkes of gaole delivrie, neither to any of the Prisoners within the countie of Wales & Chester, or within the countie Palatines of Lancaster and Durham, or any of them, to make any Transcript of any such attainder, conviction, or outlary of any person convicted, attainted, or outlawed betwixt & M. J. Iustices of his countie of Wales or Chester, or countie of Lancaster, Durham, or any of them, but the same Records shal & may remaine in the custody of the said Clerkes and Prisonaries, in such manner as they are. 34. H. 8. 14.

Cessavit.

Cessavit.

If any doe let his lands to farme, or to find estovers in viewall or clothing, which amounteth to the iij. part of the verie value of the land, & he that holdeth the land so charged, letteth the same lye fresh, so that a man can find no distresse by the space of y. or ij. yerres, to compel the ffarmer to do or yeld that which is contained in the writing, after the y. yerres past the lessor shal have an action out of the Chauncerie to demand the land in demesne. And if he against whom the land is demaunded, come before iudgement, & render the arrearages & damages, & find such surety as the court shall thinke sufficient, to pay fro thenceforth that which is contained in the writing of lease, he shall retaine the land: & if he tarry untill it be recovered by iudgement, he shalbe barred for ever after. Glo. 6. E. 1. 4.

Cessavit a-
gainst tenant
by fee farme.

In like sort, if a man doe detaine from his lord his due & accustomed service by the space of y. yerres, the lord shal have an action to demand the land in demesne. And in both these cases, the heire of the demandant shal have a writ of entry against the heire of the tenant, & against them to whom the land shalbe aliened. West. 2. 13. E. 1. 1. There see the forme of the Writ of Cessavit.

Cessavit by
the Lord a-
gainst his te-
nant.

If lands given for the feeding of poore people, or other almes to be maintained or done, be aliened by those to whom they are given, if they were given by the king, or any of his progenitors, the lands shal be taken into the k. hands, & retained at his pleasure, & the buyer shal lose his recovery as well of the lands as of the money which he paid. And if they were given by an Earle, Baron, or other person, he by whom, or by whose ancessor the land so aliened was given, shal have a writ of contra formam collationis, to recover the land in demesne. But if the land so given for sustenance of poore people, or other alms to be maintained or done, be not aliened, but such alms is withdrawne by the space of y. yerres, an action shall lye for the donor or his heire, to demand the land so given in demesne, as it is ordained in the statute of Glou. for lands leased to render the fourth part of the value, or more. West. 2. 13. Ed. 1. 41.

Lands aliened
which were
given in alms.

Contra formam
collationis.

The Times
withdrawne.

Challenge.

One of the petite Jury, nor other parties, named in any bill of attainr, sued in the Hustings of London (holden for common pleas before the JP. and the Aldermen) upon any untrue verdict given in any of the Courts of the said Citie, shal or may have any Challenge to the array, or to any person or Doll therein being impanelled, for lack of sufficient goods or lands. 11. H. 7. 21. S. Attaint 14.

Challenge in
a Bill of At-
tainr sued in
London.

Every person being a citizen of the city of London, & in value of goods & cattels to the summe of 400. marks, may by impanelled & returned by the Shrieves of the said city, in every attainr brought by writ by vertue of the stat. of 13. H. 8. upon verdict given by the citizens of the said city, without any challenge for the insufficiencie of freehold of any of the, to be made by any of the parties in such Attaint. 17. H. 8. 5. S. Attaint 14.

Challenge in
a writ of At-
tainr sued in
London.

It is a principal Challenge in any of the courts within the city of London, in any suit where the lads or tenements, or actio personal, wherein the debts or damages amounteth to 21. marks, or above, that the party impanelled in the enquest hath no lads, tenements, goods, or cattels, to the value of 100. marks, if it be alleaged by any of the parties, & so found. And no person shalbe impanelled, summoned, or sworn in any Jury or Enquest, in courts within the same city, except he be of lands, tenements, or goods and cattels, to the value of 21. marks. 11. H. 7. 21. S. Jurors 16.

Challenge in
London, where
the thing in
demand is
worth forty
marks.

The Challenge commonly called (Riens deins le gard) within the citie of London, shalbe no Challenge, but utterly void. 7. H. 7. 5.

Riens deins le
gard.

If a man challenge a Jury, or a Jury for the k. he shal shew cause of his challenge forthwith, which cause shall immediately be tried by the Justices discretion, whether it be true or not. 33. Ed. 1.

Challenge for
the King.

No indictor shalbe put in the enquest upon the delivrance of the party indicted of trespass or felony, if he which is indicted doth challenge him for the cause. 25. E. 3. 3. S. Jur. 1.

Challenge of
the Inditor.

Challenge. Chester, Cheshire.

Challenge
to here & thing
in demand is
worth for the
markes.

Inhabitant of
townes corporat.

Challenge by
one arraigned
by a speciall
Commission.

Challenge
upon an ar-
raignment of
piracie.

Challenge by
one arraigned
for offence com-
mitted within
the verge.

Challenge by
one that con-
spireth any
death.

No peremp-
torie challenge
in Treason.

No peremp-
torie challenge
in murder.

Challenge upon
an inquisition
of Collusion.

Sessions kept
in Chester
two times in
the year.

7 It is a good Challenge for the partie, where an enquest is taken upon the death of a man, or betwixt party and party in any plea real or personall, where the debt or damage doth amount to xl. markes, to say that any impanelled, hath not lands or tenements to the value of xl. s. above all charges. 2. H. 5. 3. But this statute is to be intended only of enquests to be had betwixt Denizen & Denizen, & not where trial is to be made per medietate linguar, where an alien is one party, according to the stat. of 28. E. 3. 13. 8. H. 6. 26. And every person being the R. naturall subject borne, which by any name doth enjoy & liberties of any city, borough, or towne corporate, where he dwelleth & maketh his abode, being worth in moveable goods to the cleere value of xl. l. shal be admitted in triall of murders and felonies in every Sessions & Gaole delivery holden for the liberties of every such City, Borough, or Town corporate, albeit he hath no freehold. 23. H. 8. 13. S. Iurors 15.

8 If a Commission of Oyer & determiner be directed into any Countie, for the triall of any person which doth confesse any murder, to three of the R. Counsel, or is vehemently suspected thereof, no Challenge for the shire or hundred shal be allowed unto him. But the Challenge of any Juror for lack of freehold of the yearly value of xl. s. shal be allowed. 33. H. 8. 23. Neither shall he have any Challenge to the Hundred, which is arraigned for any offence committed upon the sea, or in any other place where the Admirall hath iurisdiction, before Commissioners thereunto authorized by the R. Commission under the great Seale. 23. H. 8. 15.

9 He that is arraigned of Treason, Murder, or Manslaughter, committed with in the verge, shal have no manner of Challenge to any of the Jury (malice onely excepted) 33. H. 8. 12. Neither he which being the R. servant sworn, & whose name is in & chequer roll of the R. household, under the degree of a Lord, which is arraigned for conspiring with any other to destroy any Lord of this realm, or any other sworn to the R. council, or the Keward, treasurer, or controller of the R. house. 3. H. 7. 14.

10 Peremptorie challenge shall not be allowed in any case of high Treason, or misprision of high Treason. 33. H. 8. 23.

11 No perso arraigned for any petit treason, murder, or felonie, shal be admitted to any peremptorie challenge above the number of twentie. 2. H. 8. 14. 32. H. 8. 3.

12 If he which is impleaded for land by an Ecclesiasticall person, doth make default, where by Judgement ought to be given against him, if the Court doe enquire by Jurie of the countrey, whether the demandant had right in the lands demanded or not, every Lord of whom the same lands be holden, shall be allowed to challenge the Jurors of the same inquisition, and so shall any man for the King that will. West. 2. 13. Ed. 1. 33. S. Mortmaine 5.

1 Where, upon the trial of an issue in a personall action, no Challenge for the hundred shall be allowed. S. Iurors 19.

Chester, Cheshire.

The Law and administration of Justice, and all other things in the countie of Chester in times past used to be had at the Shire daies, shall be holden, had, made, done, and executed by the Justicer of the said countie for the time being, at two times in the year onely, that is to say, at the Sessions next after the feast of Saint Michasl, and at the Sessions next after Easter, during so many dayes at every of the said times as need shall require, in like maner and forme, as it is used and executed in the county Palantine of Lancaster. 32. H. 8. 43. And the said two sessions shal & may be holden at such time and times, as by the said J. or his deputie shall be appointed, as well before the said feasts of Easter and Michaelmas, as any other time, according as is commonly used in other Shires of this Realme, so alwaies open Proclamation be thereof made, by the space of xv. daies at the least before the first day of the keeping of the same Sessions. 33. H. 8. 13.

2 The Countie Palantine of Chester shall have two Knights for the said countie,

tic,

tie, and two citizens to be Burgesses for the citie of Chester, to be elected for euery Parliament by Procees awarded by the Chauncelour of England, to the Chamberlaine of Chester, his Lieutenant, or Deputie. And like procees to be made by the said Chamberlaine, or &c. to the Shirife of the countie of Chester. And the election shall be made in like maner and forme to all intents as is vsed in other Shires and cities, and euery of the said knights & Burgesses so elected, shall be returned into the Chauncerie of England, by the Shirife in due forme, vpon like paine as other Shirifes of other Shires, &c. And euery of the said knights & burgesses shall haue like voice, authoritie, liberties, priuiledges, wages, fees, & comodities, as other knights & burgesses of the same Court of Parliament enioy, vse, and haue. 34 H. 8. 13.

Two knights and two burgesses for the Parliament in Chester.

3 If any person of the countie of Chester, resiant in the same countie, doe commit any murder or felonie in any place out of the same countie, Procees shall be awarded against him by the common Law vnto the Exigent, in the Countie where the offence was committed: And if he fle from thence into the countie of Chester, and be outlawed for the said murder, or felonie, the same Outlawrie or Exigent shall be certified vnto the officers of the countie of Chester, & the felon shall be take by the same officers, & his lands, tenements, goods, & cattels, within the same countie of Chester, shall be seised as forfeit to the K. or him which shall be Lord of the said countie of Chester for the time, & the K. shall haue the yere, day, & waite, and the other lands, goods, &c. of such felon, being out of the said countie, shall be forfeit to the K. & other lords which haue franchises. And in the same maner it is of any person of the said countie, resiant or dwelling in the same countie, which committeth battery, or other trespass in another countie, & then flieth into the countie of Chester, his goods shall be forfeit: & if he be outlawed, & outlarie shall be certified to the same officers of Chester, & his person shall be taken, & his goods & cattels shall be forfeit. &c. vt supra. 1. H. 4. 18. 9. H. 5. 2.

In inhabitant of the Countie of Chester committeth felony or murder in another Countie.

1 No protection shall be graunted to any person within the Countie of Chester, without the K. warrant. S. Protection 5.

Protection.

2 For Proclamations vpon exigents to be awarded against any person dwelling in the countie of Chester, or the citie of Chester. S. Exigents 6.

Proclamations.

3 Euery shirife of the countie, and of the city of Chester, shall haue a deputy in the K. Bench, and common place. S. Exigents 7.

Deputies.

4 Fines may be leuied before the high Iustice of Chester &c. of lands within the countie of Chester. S. Fines 13.

Fines.

5 A Tales de circumstantibus is grantable in the countie of Chester, where a full Iury doth not appeare. S. Iurors 23. 25.

Tales.

6 In what sort, and by whom the commission of Sewers shall be directed within the fees of the countie of Chester. S. Sewers. 18. 19.

Sewers.

7 For statutes to be acknowledged before the Maior of Chester. S. Statutes 1.

Statutes, Offices.

8 How offices found in the countie of Chester, shall be receiued and certified in the Court of wards. S. Offices 7.

9 Two Coroners shall be for Cheshire: and their authority. S. Coroners 20.

Coroners.

10 For inrolments of bargaines and sales of lands in the countie of Chester. S. Inrolments 4. 5.

Inrolments.

11 Where the shirifes county court of Cheshire shall be kept. S. Countie 2.

12 For inrolling of fines and recoueries in the countie of Chester. S. Fines. 29. &c. Cheirographer, and Custos Breuium.

The Cheirographer of the common place, his sarme, deputy, or lieutenant, shall not take any more then 4. s. for any fine leuied in the same court. And if the sarme, deputy, or lieutenant, do make any more, he shall forfeit his office, be excludet from the same court, suffer one yeres imprisonment, & pay to the party grieved his treble damages, & the party grieved shall haue his suit before the K. of the same court. 2. H. 4. 8. West. 2. 13. Ed. 1. 44.

The Cheirographers fee, vpon euery fine.

Cheirographer, and Custos Breuium. Citation.

Inroling of
writs in the
common place
whereupon
fines be leuied

2 All writs of Couenant, and all writs whereupon fines shall be leuied, with the Writs of Dedimus potestatem (if any be) with all knowledges, and notes of the same, befoze that they be drawne out of the Common Place by the Cheirographer, shall be inrolled in a Roll to be of Record for ever, to remaine in the safe custody of the chiefe Clerke of the Common Place, and of his successors, for the old fee of xij. s. accustomed to be paid to the chiefe Clerke, for the entring of the Record of every fine, without paying any more, to the intent, that if the notes in the custody of the Cheirographer, or the fines, be imbeasiled, a man may haue recourse to the said Roll, to haue execution, as he should haue, if the fines were not imbeasiled. 5. H. 4. 14.

1 The Cheirographer shall make a Table containing the content of every fine, and what he shall haue for the same. S. Fines 25.

Citation.

No person
shall be cited
to appeare out
of the Dioces
where he
dwelleth.

If any person be cited, summoned, or otherwise called to appeare, by himselfe, or his procurator, befoze any Ordinarie, Archdeacon, Commissarie, Officiall, or other Judge spiritual, by vertue of his Office, or at the suit of any person, out of the Dioces or peculiar Iurisdiction, where the partie cited, summoned, or called, dwelled at the time of the same Citation awarded, the said Ordinarie, Archdeacon, &c. shall forfeit to the partie so cited double damages and costs for veneration, to be recovered by action of debt, or action vpon the case, by A. B. 10. 4c. and also shall forfeit x. l. to the R. & J. to be recovered by A. J. 4c. wherein no W. 4c. C. P. 4c. (except it be for any spirituall offence, or cause committed, done, followed, neglected or omitted by any Bishop, Archdeacon, or other person having spirituall iurisdiction, or being a spirituall Judge, or by any other person within the Dioces, or Iurisdiction, whereunto he shall be cited, or otherwise lawfully called to appeare and answer: D: except it be by or vpon matter or cause of Appeal, or for other lawfull cause, wherein any partie shall find himselfe grieved or wronged by the Ordinarie, Judge, or Judges of the Dioces or iurisdiction, or by any of his Substitutes, or Ministers, after the matter or cause there first commenced & begun, to be shewed to the Archbishop, or Bishop, or any other having peculiar iurisdiction, within whose Province the Dioces, or place peculiar is: D: in case that the Judge dare not conuent the partie to be sued befoze him: D: that the Bishop of the Dioces, or the Judge of the place, within whose Iurisdiction, or befoze whom the suit by this Act should be commenced & prosecuted be parties, directly or indirectly to the matter or cause of the same suit: D: that any Bishop, or any inferior Judge, having vnder him Iurisdiction in his owne right and title, or by Commission, doe make request or instance to the Archbishop, or other superiour Ordinarie or Judge, to take, treat, examine, or determine the matter befoze him or his Substitute, & that to be done in cases onely where the Civile or Canon Law doth affirme execution of such request or instance of Iurisdiction, to be lawfull or tollerable: D: except it be for Testaments to be proved befoze the Archbishop of Cantuarie, by reason of his prerogative, or for Testaments to be proved befoze the Archbishop of Yorke within his Iurisdiction, by reason of any prerogative) 23. H. 8. 9. 1. Eliz. 1.

Archbishops
may cite for
heresie.

2 It is lawfull for any Archbishop of this Realme to cite, call, and summon any person dwelling in any Bishops dioces within this Province, for causes of Heresie, if the Bishop or other Ordinarie immediate thereunto consent, or doe not his duty in the punishment of the same. 23. H. 8. 9. 1. Eliz. 1.

Fee for the
seale of a Ci-
tation.

3 If the Archbishop, Bishop, Ordinarie, Official, Commissarie, or other person having spirituall Iurisdiction, or any Substitute or Minister of his doe aske, demand, take, or receiue more then iij. s. for the seale of any Citation, he shall pay to the party of whom &c. double damages & costs, and shall forfeit for every offence x. l. to the R. and J. 4c. to be recovered by A. J. 4c. wherein no W. 4c. C. P. 4c. 23. H. 8. 9. 1. Eliz. 1.

Clapboord

All and euerie person and persons, which shall ship, carrie, or transport, any Ware into the parts beyond the Seas, to be sold or exchanged for other merchandise, shall (if he be a stranger) then before the same transporting, (if he be a subject borne) then either before the same transporting, or within foure moneths after, bring, or cause to be brought into this Realme, from the parts of beyond the Seas, for euerie fire Tunnes of Ware, two hundred of Clapboord, fit for to make Caske of, to contains in length thre foot and two ynches at the least: Or else the same Caske againe, or so much other good and sweet caske in quantitie, & the same to be entred at the Custome house without any colouring: Or if the same transporting shall be into the Realme of Ireland, then to bring in maner and forme as aforesaide, so much of Whaffold boord in quantitie as the Clapboord amounteth unto. 35. Eliz. 11.

For Ware transported, Clapboord or Caske shall be brought in.

2 No stranger borne shall ship, carrie, or transport beyond the Seas any Pilchers, or other Fish in Caske, vntlesse the same person haue before such shipping brought, or caused to be brought into this realme from the parts beyond the Seas, for euerie fire Tunnes of Pilchers, or other Fish, according to the rate and maner aforesaide, of Clapboord fit for Caske, or else of Caske as aforesaide, vpon paine of forfeiture of the said Ware, Pilchers, and Caske, that shall be shipped or laden to be transported into the parts of beyond the Seas. 35. Eliz. 11.

Clapboord shall be brought in for Fish transported.

3 It shall not be lawfull for any person or persons, to transport, or carrie any wine Caske out of this Realme, with any Ware or Wareager, nor any wine Caske shaken, and sell the same Ware or Wareager, or Caske, Except for the victualing of any ship or portable vessel, or of any of her spaisies garisons and soles in the parts beyond the Seas, vpon paine of forfeiture of the summe of xl. s. for euery Tunne of Caske so carried or transported. Provided alwaies that this Act, or any thing therein contained, shall not extend to the transportation of any Herrings whatsoever in Caskes. 35. Eliz. 11. 1. Jac. 25. This Act to continue to the end of the first Session of the next Parliament.

Transporting of wine Caske.

Herrings.

Clergie.

No person shall haue the priuiledge of his Clergie, which shall be indicted or appealed for felonious taking of any money, goods, or cattels, from the person of any other: priuily without his knowledge in any place whatsoever, and thereupon found guilty by verdict of 12. men, or shall confesse the same vpon his arraignment, or will not answer directly to the same, according to the Lawes of this Realme, or shall stand wilfully, or of malice, or obstinately mute, or challenge peremptorie about the number of twentie, or shalbe vpon such Indictment or Appeals outlawed. 8. Eliz. 4.

Cutpock.

2 No he which shall stab any person which hath not a weapon by him, or hath not first stricken, so as the parties die thereof within six moneths. 1. Jac. 8. S. Murder 7.

3 No he which by the Statute provided An. 35. Eliz. 11. (to retaine the Qu. Subjects in due obedience) or by the Statute made (An. 33. Eliz. 1. for the restraint of Popish Recusants to some certaine places of abode) is to be abided, which shall refuse to make such abitation, as by the said Statutes is appointed: Or after abitation, shall not goe to such places, and within such time as is appointed, and from thence depart forth of the Realme, according to the said Statute: Or after his departure, shall returne and come againe into any of the Qu. Majesties Dominions without licence. 35. Eliz. 1. 35. Eliz. 1. S. Recusants 19. 27.

Refusing to abide, and going, or returning.

Clergie.

Coniuration,
Witchcraft.

4. *So* he that doth practise Inuocation or Coniuration of wicked spirit a for any intent, or Witchcraft, Enchantment, Charme, or Sorcerie, whereby any person shall be killed, or destroyed: or whereby any person shall be consumed, or lamed in his bodie or member, or whereby any gods of any person shall be wasted, or impaired, being once conuicted of the said offence before. 1. Jac. 1. 2. S. Coniuration 1. 2. 3.

Buggerie.

5. *So* he which doth commit Buggerie with mankind or beast, and is thereof conuicted by verdict, confession, or outlarie. 25. H. 8. 6. 5. Eliz. 17.

Commaundment of felo-
nies.

6. *So* he which doth maliciously commaund, hire, or counsell any person to com- mit petit treason, or wilfull murder, or to doe any Robberie in any dwelling house, or in or nere any highwaie, or within the Marches of England against Scotland, or wilfully to burn any dwelling house, or any part thereof, or any barne then having coine therein, and is thereof outlawed, or otherwise attainted, or conuicted, or being arraigned doth stand mute of malice, or doth challenge peremptorie aboute twentie, or will not answer directly to such offence. 4. & 5. P. & M. 4.

Attainted
where the
goods where
carried.

7. *So* he which is indicted, arraigned, and attainted, or refuseth lawfull trial in a Countie where he was taken with the maner, and wherein to the goods stolen in a foraine Countie were conuicted, if so be that he might not haue had his Clergie in the other Countie where the goods were stolen. 25. H. 8. 3. 5. Ed. 6. 10.

Forger of
bills.

8. *So* he which being once conuicted, or condemned of any of the offences pro- hibited by the statut provided, 5. Eliz. against the forging of Euidences & Inuitings, by any of the iudges in the same statute limited, shall after any his such condemna- tion, effranchise commit any of the said offences in foraine in the said statute expressed. 5. Eliz. 1. 4. S. Forger &c. 4.

Souldier.

9. *So* any Souldier serving the King in his warres, in any of his Dominions, or on the Sea, or beyond the Sea, or in Scotland, or in any Garrison, which departeth without licence of the Lieutenant, High Admirall, Viceadmirall, or Captain, or Captaine, and in their absence, of their Lieutenants. 2. Edw. 6. 2. S. Captaine 3.

Rape.
Burglarie.

10. *So* he which is attainted by confession, verdict, or outlawrie, for any felonious rape, raniishment, or burglarie, or for unlawful and carnall knowledge, and abuse of any woman child under the age of ten yeres. 18. Eliz. 6.

Egyptian.

11. *So* any person of the age of fourtene yeres or above, calling himself an Egyptian, or being in companie with them, or counterfeiting, or disguising him- selfe by his apparell, speech, or other behaviours like unto the Egyptians calling themselves Egyptians, and so doth continue, at once or severall times by the space of a month. 8. & 9. P. & M. 5. Eliz. 20. S. Egyptians.

Wilfull
murder.

12. *So* he which doth take away a man, woman, or wife, against her will, ha- ving lands &c. 39. Eliz. 9. S. Women. 12. 13.

Poisoning.
Robbing in
high wayes
treating of
houses.
Robbing of
Churches.
Robbing of
houses.

13. *So* he which doth commit any wilfull murder, or wilfull poisoning of malice prepened: or which doth robbe any person, in or nere unto the highway: or which doth scale any house, or wings, or towers, (or any house, gelding, or mare. 3. Ed. 6. 33.) or which is accessories to such felonie, or any such felonie done or af- ter. 31. Eliz. 1. 2.

Robbing of
bodies.

14. *So* which doth feloniously take goods out of any Church or chap- pel: or which doth break any house by any or by night: any person being in the same, or thereby put in feare, or doth robbe any person in any part of his dwel- ling house, or dwelling place, the house or dwelling in the same house, his wife, his children, or servants, being then within the same house or place where the robbery was done, or in any other place within the precinct of the same house, or dwelling place, and then being waiting, or sleeping: or which doth robbe any person being in a house or dwelling in a ship or barge, the owner, his wife, children, or any servant then being within the same house or barge, whether they then were there being, or sleeping

sleeping or waking, and is of any of the said offences in due forme of law attained or convicted, or being indicted or appealed of any of the same offences, and thereupon found guilty by verdict, or shall confesse the same upon his arraignment, or will not aunswere directly according to the Lawes of this Realme, or shall stand wilfully, or of malice mute. 23. H. 8. 1. 32. H. 8. 3. 1. Edw. 6. 12. 5. Ed. 6. 9. S. Faies &c. 8. If any person or persons shall be found guilty, & convicted by verdict, confession, or otherwise, according to the Lawes of this Realme, for the felonious taking away in the day time, of any money, goods, or cattell, being of the value of five shillings, or upwards, in any dwelling house, or houses, or any part thereof, or any outhouse, or outhouses, belonging, and used to and with any dwelling house or houses, although no person shall be in the said house or out houses, at the time of such felonie committed: then such person & persons shall not be admitted to the benefit of his or their Clergie, but shall be utterly excluded thereof. 39. Eliz. 15.

Robbing of a house in the day time, wherein there is no person.

14. For he which doth wittingly and willingly receive, relieve, comfort, ayde, or maintaine any Jesuite, Seminarie Priest, or other Priest, Deacon, or Religious or Ecclesiasticall person whatsoever, being bozne within this Realme, or any other the Dominions highnesse Dominions, and heretofore (since the feast of Saint John the Baptist An primo Eliz.) ordained, made, or professed, or hereafter to be made, or ordained, or professed, by any authoritie, or iurisdiction, derived, challenged, or pretended from the See of Rome, being at libertie, or out of hold, knowing him to be a Jesuite, Seminarie Priest, or such other Priest, Deacon, or Religious or Ecclesiasticall person, as is aforesaid. 27. El. 2. S. Iesuites 3.

Receiving or relieving any Jesuite or Priest.

15. In all other cases of felonie, other then such as be before mentioned, every person which shall be arraigned, or found guilty upon his arraignment, or shall confesse the same, or shall stand wilfully, or of malice mute, or will not aunswere directly, shall have & enjoy the privilege of his Clergie, in like maner, as he should have done before the 24 April, An 1. H. 8. 1. Ed. 6. 12.

Clergie allowed able in other cases.

16. Every person (not being within Orders) which once hath been admitted to the benefit of his Clergie, being afterwards arraigned of any such offence, shall not be admitted to have the privilege of his Clergie. And every person convicted shall be marked by the Chancelor openly in the Court before the Judge. 4. H. 7. 13. Such as be within holy Orders shall be & stand under the same paines & daungers for their offences &c. and be used and ordered to all intents, as other persons not being within holy Orders shall be. 18. H. 8. 1. 32. H. 8. 3. Attamen vide 1. Ed. 6. 12. and 1. & 2. P. & M. 8. et Quære.

Clergie allowed able but once.

A convict person marked.

Orders of the Church.

Quære.

17. Every person that by any Statutes or Lawes of this Realme ought to have, or be admitted to the benefit of his Clergie, shall be admitted to his Clergie, although he hath bin sundry times married to any single woman, or single women, or to any widow, or widows, or to two wives, or more. 1. Ed. 6. 12.

Bigamus allowed his Clergie.

18. Every person which shall upon his arraignment for any felony be admitted to his Clergie by the Lawes of this Realme, and shall before the same admission have committed any other offence, whereupon Clergie by the Lawes and Statutes is not allowable, and not being thereof before indicted, and acquitted, convicted, or attained, or pardoned, shall and may be indicted, or appealed for the same, and thereupon ordered and used in all things according to the Lawes, in such maner as though no such admission of Clergie had bin. 8. Eliz. 4. And every person which shall be admitted to have the benefite of his Clergie, shall notwithstanding his admission to the same, be put to aunswere to all other felonies whereof he shall be indicted, or appealed, and not being thereof before acquitted, convicted, attained, or pardoned, and shall in such maner and forme be arraigned, tried, adjudged, and suffer such execution for the same, as he should have done if (as Clerks count) he had bin delivered to the Ordinarie, and there had made his purgation.

He that is allowed his Clergie, shall answer to former offences.

Clergie. Clerke of the Market.

gation. 18. Eliz. 6.

3 Lord of the
Parliament.

19 In every case where any of the kings subjects may upon his prayer haue the priuiledge of Clergie, as a Clerke conuict, that may make purgation, in all those cases, and also in every case of Felonie wherein the priuiledge of Clergie is taken away by the Statute of 1. Ed. 6. (wilfull Murder, and poysoning of malice prepensed onely except) viz. for the breaking of any house &c. robbing any person in or nere vnto the high way, Kealing of Houses, or robbing any Church or Chappell, a Lord of the Parliament, and Peere of the Realme, hauing place and voice in Parliament, shall of common grace vpon his request, alleddging that he is a Lord, or Peere of the Realme, and claiming the benefit of this Statute, though he cannot read, without any burning in the hand, losse of inheritance, or corruption of blood, be taken, and vied for the first time onely as a Clerke conuict, which may make purgation, without any further, or other priuiledge of Clergie, to any such Lord, or Peere, from thenceforth at any time after, for any cause to be allowed. 1. Ed. 6. 12.

Clergie allow-
ed without de-
liverie to the
Dyinarie.

20 Every person which shall be admitted to haue the benefite of his Clergie, shall not thereupon be deliuered to the Dyinarie, as hath bin accustomed but after such Clergie allowed, and burning in the hand, shall forthwith be enlarged, & deliuered out of prison by the Iustices before whom such Clergie shall be graunted. But the said Iustices shall and may for the further correction of such persons to whom Clergie shall be allowed, detaine them in prison for such conuenient time as the same Iustices shall thinke conuenient, so as the same doe not exceed one yeres imprisonment. 18. Eliz. 6.

1 In what cases the benefite of Clergie shall be taken from wandering Souldiers or Mariners, S. Mariners 4. 5. 5. S. 4. H. 4. 3.

Clerke of the Market.

Clerke &c. shall
take no com-
mon fine.

The Clerke of the Market of the Kings house, shall take no common fine, but every person which is found in default touching the same office, shall be punished according to his defaults. The said Clerke shall ride but with five hoxes at the most, and shall not carrie in any Towne, or other place, longer then the necessitie of his businesse doth require, and if he doe any thing contrarie to this statute, and is thereof duely conuicted, he shall pay to the King at the first time 6. s. at the second time ten pounds, and at the third time 20. pounds. 13. R. 2. 4. The Clerke of the Market shall haue all his weights and measures signed according to the Standard of the Erchequer with him, when he goeth to assay weights and measures. And he nor none other shall vse any other weight or measure. 16. R. 2. 3.

The Clerke
shall haue his
weights with
him.

Clerke &c. of
the K. house
shall vse the
offices within
the verge.

2 In all places wheresoeuer the king in his owne royall person shall come to rest, tarry, abide, or make his repose within any his Dominions, within liberties, or without, there and within the verge limited or accustomed to his Court, during the time of his abode, his Graces Clerke of the Market, and none other during the same time, aswell within liberties as without shall exercise the office of a Clerke of the Market: any priuiledge, graunt, allowance, or other thing to the contrarie notwithstanding: But this shall not be preiudiciall to the citie of London: But the said Citie may vse such liberties as they might before &c. 27. H. 8. 24. 32. H. 8. 20.

Clerke of Assise.

No Clerke of Assise during the onely time of the Session, of or for any Assises, or Nisi prius, shall be of counsell with any person within any circuit, whereof

whereof he shall be Clerke of Assise, otherwise then to that office onely appertai-
neth, upon paine to forfeit for every time offending to the contrarie ten pounds to
the King and W. grieved, to be recovered by A. J. &c. wherein no W. C. P. &c. 33.
H. 8. 24.

1 The Clerke of Assise may execute his office in the Countie where he was born,
or doth dwell. S. Iustices of Assise s.

Clerkes of the Signet, and Priuie Seale.

All and every gift, graunt, and other writing, which shall be made, or gi-
uen in writing by the King, or any his posteritie, to any person or persons,
signed with his signe, or the signe or signes of any of them, to be
passed under any of his Great Seales of England, Ireland, Duchie of Lan-
caster, or of any of his Counties Palantine, or Principallitie of Wales, or by
other Procces out of the Erchequer: And all and euery Gifts, Graunts, and
other Writings, of what name or names, qualitie or qualities soener the same
be, or hereafter shall be named, termed, or called, which the Master of the Kings
Wards for the time being, or any other officers that now be, or hereafter shall
be made, shall by vertue of any Act of Parliament, or any of the Kings grants
to them, or any of them made, or hereafter to be made in that behalfe, give, graunt,
or make to any person or persons in the Kings name, to be passed under any his
Privie Seales, be in any wise first and before the same graunts, or any of them
be passed under the Kings said Seales, or other Procces made of the same, brought
and deliuered to the Kings principall Secretarie, or to one of the Kings Clerkes
of his Signet, for the time being, to be at the said office of the Signet passed accor-
dingly. 27. H. 8. 11.

The Kings
grants shall
be brought to
the Clerkes
of the Signet.

2 One of the Clerkes of the said Signet, to whom any the said writings signed
with the Kings hand, or the hand of any other aforesaid, or any of them, shall fortune
to be deliuered, may & shall by vertue of the same bills, and euery of them, within the
space of viij. dayes next after he shall haue receiued the same, (unless he haue know-
ledge by the said Secretarie, or otherwise, of the Kings pleasure to the contrarie)
make, or cause to be made in the Kings name, Letters of warrant, subscribed with
the hand of the same Clerke, & sealed with the Kings Signet, to the Lord Keeper of
the Kings Priuie Seale, for further procces to be had in that behalfe. And one of the
Kings Clerkes of the said priuie Seale upon due examination had by the said Lord
Keeper of the said priuie Seale, of the said warrant to him addrested, from the office
of the said Signet, as is aforesaid, may & shall within the space of eight dayes next
after he shall haue receiued the same (unless the Lord Keeper of the priuie Seale
doe give them commaundement to the contrarie) make, or cause to be made by war-
rant of the aforesaid warrant to the said Lord Keeper of the priuie Seale, addrested
from the office of the Signet aforesaid, other letters of like warrant, subscribed with
the name of the same Clerke of the priuie Seale, to the Lord Chancelor of Eng-
land, Lord Keeper of the great Seale, Chancelor of the Duchie of Lancaster, Chan-
celor of the Kings land of Ireland, Treasorer & Chamberlaines of the Erchequer,
& Chamberlaines of any of his Counties Palantines, or Principallitie of Wales,
or other officer, & to euery of them, for the writing, & in sealing with such Seale, as
remain in their custody of letter patent or closed, or other procces making, due or
requisite to be had or made upon any the said graunts, according to the tenor of the
warrant to them, or any of them directed from the office of the Priuie Seale, as is
before specified. 27. H. 8. 11.

A warrant
to the priuie
Seale.

A warrant
from the priuie
Seale, to the
great Seale.

3 No manner of Clerk, or Clerks or other person or persons shall write, or make
any manner writing, warrant, or warrants upon any gift, or grant made by the K.

The penalty
for altering
the counte
of aforesaid.

Clerkes of the Signet, and Priuie Seale.

or by any other his officers, as is aforesaid, or procure the same, or any of the same to be passed vnder any the Seales aforesaid, after any such sort, manner, or fashion, or by any other warrant or warrants then as is before specified and declared, vpon paine to forfeit for euerie Will, warrant or writing passed contrarie to the order before limited y^e. to the king and I. to be recovered by A. of debt, P. or I. in any of the R. Courts, wherein no B. C. P. P. or W. shalbe admitted: Any Statute, provision, ordinance, &c. notwithstanding. 27.H.8.11.

Fees for writings which passe by immediate warrant.

4 Euerie of the said Clerkes, or other person, which shall passe in writing, or procure to be passed in writing, any graunt, or graunts, by immediate warrant, wherefore fees be payed at the great Seale, shall of the parties receiue for the Offices of the said Signet, and Priuie Seale, as well such fees as in this Act is tarred for writing any such graunt, or other writing, as also the fees for the Seale of the same: Whiche fees, and euery part & portion thereof, the same Clerke or Clerkes by whom any graunt shall passe in writing by immediate warrant, shall vpon a Bill of the hand of one of the Clerkes of the said Signet, or priuie Seale, deliver vnto one of the same Clerkes of the Signet, or priuie Seale, within three Monethes next ensuing after the passing & sealing of any the said graunt, or graunts, by immediate warrant, vpon payne of x. l. Sterling, to be by euerie such of the said Clerkes, or other persons, as shall offend, forfeited, to be leuied in forme aforesaid, as oft as he or they shall offend contrary to the meaning of this Act. 27.H.8.11.

No prejudice to the Lord Treasurer.

5 Provided that this Act be not in any wise preiudiciall to the Lord Treasurer of England for the time being, concerning such Warrants or Precepts, as he by vertue of his office, shall and may direct immediatly to the Lord Chauncello of England, or to any other person, for making out of the Kings graunts, or Letters patents to any person or persons of any offices, fermors of lands or tenements, or of any other things belonging to his nomination and disposition: but that as well he may direct his sayd warrants or precepts for the causes aforesayd, as also his Clerke or Clerkes, or other person may procure the same to be sealed vnder any of the Clerkes aforesaid, without any warrant to be before or after sued or obtayned vnder the kings Signet or Priuie Seale for the same, in as large and ample manner, and after such sort and fashion, as he or they might haue done at any time before the making of the said Act: Any thing in the same mentioned to the contrary notwithstanding. 27.H.8.11.

Leases of Duchy lands.

6 Provided also, that all and euerie Lease or Leases of the Kings Manours, lands, tenements, possessions, or other profits, or hereditaments within the Countie Palantine of Lancaster, or of the Duchie of Lancaster out of the sayd Countie Palantine, which the Chauncello of the Duchie of Lancaster for the time being, or the Chauncello of the said Countie Palantine for the time being, or eyther of them, shall graunt or make in the name of the King, his heires or successours, to any person or persons, shall and may passe, and be passed vnder the Seales of the said Duchie of Lancaster, or of the said Countie Palantie of Lancaster, or of either of them, in manner and forme as heretofore hath bene vsed: Any thing in this act &c. notwithstanding. 27.H.8.11.

A graunt of a small office in the Duchy.

7 Provided also, that all and euerie gift, graunt, and Patent of any maner of Office or Offices, or any other thing, being, or which hereafter shall be in the Countie Palantine of Lancaster, or of the said Duchy of Lancaster out of the said Countie Palantine, the yearly wages or fees whereof amounteth not ouer and aboue the value of y. l. by the day, shall & may passe & be passed by the sayd Chauncello of the Duchie of Lancaster, or by the sayd Chauncello of the said Countie Palantine, or either of them for the time being, in manner and forme as heretofore hath bene vsed: Any thing in this act &c. notwithstanding. 27.H.8.11.

8 All and every Clerke and Clerkes of the Signet, and Pryue Seale, shall haue Clerk of the
and take for his, or their writing of a warrant vpon a Bill for Rayles of reward Signet for
xx. pence, for the writing of a warrant for the gift of euery Office xx. s. for the
writing of a warrant for a Pension, Annuite, or wages xx. s. for the writing of a
warrant for a speciall Licence, or other Perpetuities by s. viij. s. for the writing of a
warrant vpon euery bill for a Conge delier, royal assent, restitution of Temporal-
ties, donations, aduocations, presentations, or other ecclesiastical matter, 3. s. 4. s.
for the writing of euery warrant vpon a Placard, Licence, Pardon, or Sherrifes
reward y. s. for the writing of euery warrant vpon a Denizen 3. s. 4. s. for the
writing of a warrant for keeping of an Ideot xx. s. for the writing of a warrant
for the keeping of a Willard 3. s. 4. s. And no Clerke or Clerkes of the Signet, or
Pryue Seale or Seales, shall take for the writing of any maner warrant aboue spe-
cified, more than s. ample fees, then is before prescribed, vpon payne of 5. pounds
to be forfayted to the King and 3. to be recovered by A. or J. in any of the Kings
Courts, wher in no C. D. or W. etc. shall be admitted. 27. H. 8. 11.

9 It is provided that the sayd L. Chauncello: of England, for the time being, shall The Lord
and may at all times use his discretion in passing & spending any time by the great Chauncello:
Seale, & delivering the same without paying any fees for the great Seale, Signet, may passe
and Pryue Seales, as the case of necessitie shall requite, and as hath been accus- things with-
med: And that the Clerkes for writing, or procuring such writings and Patents out tax.
by his commaundement, shall be discharged of all penalties expressed before in this
Act, for not receiuing & paying fees to the Signet, and Pryue Seale: Any thing
in this act etc. notwithstanding. 27. H. 8. 11.

10 It is provided neuerthelesse, that this Act shall not in any wise be prejudiciall to Sealing of
any person or persons, whom the King shall by expresse commaundement, direct, things touch-
send, or appoint to procure any thing: or things to be sealed with any his Pa- ing the af-
ties Seales, for, or concerning his priuat affaires, or the affaires of his Realme: faires of the
But that aswell the same person or persons being appointed by the King as afore- Realme.
said, as all such officer and officers as shall haue the keeping of any of the Kings
Seales, their ministers and Clerkes shall and may seale, write, and deliuer, & pro-
cure the sealing, writing, and deliuering of any such thing and things, concerning
the Kings affaires, as aforesayd, without being bound, or procuring any maner
warrant, or paying any fees to the Signet, or Pryue Seale for the same, so that the
name or names of euery such person or persons as shall procure the sealing of any
such thing or things on the Kings behalfe, as is aforesaid, be entred in the Clerke
of the Stampers Booke, after this sort: Per A. ad mandatum Domini Regis: Any
thing in this act etc. notwithstanding. 27. H. 8. 11.

11 This act shall not in any wise be prejudiciall to any person or persons, which Fermes bei-
haue by the King, or by any of his officers, the graunt or lease of any maner fermes, der by. l. xij.
or fermes, to be sealed with any his Seales, the yearly rent whercof amounteth s. iij. s.
not aboue the summe of vij. l. xij. s. iij. s. sterling. But aswell euery such person
and persons, as officer and officers hauing the custodie of such Seale or Seales,
their ministers and Clerkes may write, seale, and deliuer, or procure the writing,
sealing, and deliuering of any such Lease or Leases, as aforesayd, without paying
therefore any maner of fees, at, or to the Signet, or Pryue Seale, for the same:
Any thing in this act etc. notwithstanding. 27. H. 8. 11.

Clerkes of the Chaunterie.

The sixe Clerkes of the Chauncerie that now be, and all other which in time to by. Clerkes
come shall be in the sayd office, may take Wines, and marrie, and inioy their may marry.
office of the Clerkes, in as ample maner as they did before: Though of old time
Ce y it

Clerks of the Chancerie. Clerk of the P. Common.

it was accustomed, that all Courtiers, Spinisters, and Clerkes of the Chancerie, writing to the great Seale, should be unmarried (having onely the Clerke of the Crowne.) But by this Act the Master of the Rolles shall not be appointed, in giving, and disposition of the said offices, from time to time, as hath been accustomed. And the said Officers shall give such attendance unto the said Master of the Rolles, as heretofore in the said offices hath bene accustomed. 14. Hen. 8.8.

Clerke of the Peace.

Custos Rotulorum shall appoint Clerke of the Peace.

Clerke of the Peace may make a deputy

Every Custos Rotulorum, for the time being, shall at all times in every Shire of this Realme, Wales, and other the Kings Dominions, Marches, & Territories of the same, assigne everie person which shall be Clerke of the Peace, within any of the said Shires, Dominions, Marches, and Territories of the same, and graunt the same office of the Clerkship of the peace to such able person instructed in the Lawes of this Realme, as shall be able to exercise the same, to enjoy the same during the time that the sayd Custos Rotulorum shall exercise the sayd office of Custos Rotulorum, so that the sayd Clerke demeanes him in the sayd office justly and honestly. And it shall be lawfull to everie such Graunter of the sayd Clerkship, to occupie the same office by himselfe, or his sufficient Deputy instructed in the Lawes of this Realme, so that the same deputy be admitted by the Custos Rotulorum, to be sufficient and able to exercise and enjoy the same office. 37.H.8.1.

1 The Fees of the Clerke of the Peace, for everie Recognizance and Licence graunted to every Badger, Lader, Drouer, &c. S. Badger.

2 For the Clerke of the Peace his fee, and dutie, for the Inrolment of any deed. S. Inrolments 2.

Collector.

Everie graunt, patent, or writing that shall be made to any person by any Archbishop, or Bishop alone, or by any of them, and confirmed by Chapter seale of the office of Collector of the Tenths yearly due to the Kings Maestie within the Dioces and Bishoprick of the graunto, by reason of the statute of first fruits and Tenths, shall abide in his force no longer time then the graunto shall remaine Archbishop or Bishop of the same Sea, wherof he was possessed at the time of his sayd graunt: Any confirmation of the sayd graunt, custome, law, or statute &c. notwithstanding. 7. Ed. 6. 4. 1. Eliz. 4. See for Collectors, Accomptants 40. 41. And Q. whether they shalbe bound to saue the Bishops harmelesse.

1 How Collectors of Dimes accompting in the Exchequer may be charged in the same, or other Courts, to answer to other S. Accomptants &c. 49.

2 That the Lands, goods, &c. of Vndercollectors of Tenths and Subsidies be chargeable to the Q. for the satisfying of their receit. S. Accomptants &c. 40. 41.

3 Collectors for the repaying of Bridges, their receit, charge, and accompt. S. Bridges 3. 4.

4 The dutie, receit, charge, and accompt of the Collectors for the Poore. S. Poore. 2. &c.

Common.

Where one having no right to Common, usurpeth Common, what time an heire is within age, or what time a woman is covert, or whilst the parties

sture is in the hands of tenants in dower, by the curtesie, or otherwise for terme of life, or yeares, or in fee tayle, and the pasture be long used, many hold opinion, that such pastures ought to be said appurtenant to freehold, & that the possessor ought to have Action by writ of Nouell disseisin, if he be despoiled of such pasture. But from henceforth this must be holden for Law, that such as haue entred within the time that an Assise of Mortdauncester hath lyeen, if they had no Common before, shall haue no recoverie by a Writ of Nouel disseisin, if they be despoiled. West. 2. 13 Edw. 1. 46. S. Approuements.

Commissions, Commissioners.

Where a Commission is directed to any person to heare and determine, or to inquire & certifie, which Commissioners neuer knew of the sayd Commission, neither yet the same euer came to their hands, if the same Commissioners be distrained by proces forth of the Erchequer for issues lost by reason of the sayd Commission, they may take their Othes before the Barons of the Erchequer, of their excuse and discharge of the receipt or occupying of the sayd commission. And also the Barons of the Erchequer, & the Iustices of the one Bench, and the other haue power by writ of Dedimus potestatem, to receiue such othes in the Countrey, and therof to certifie the Barons into the Erchequer, whereupon the Barons shall discharge the sayd Commissioners: And in like sort it shall be done for the heires, Executors, or land tenants of the said Commissioners. But such othes shall not be taken, but in cases of Commissions to heare and determine, and to inquire and certifie. 7. H. 4. 11.

Commissioners not receiving the Commission.

2 In all inquiries within this Realme, Commissions shall be awarded to some of the Iustices of the one Bench, or of the other, or Iustices of Assise, or Iustices of the Peace, with other of the most worthy men of the Countrey, aswell for the Kings profit, as the Commons (sauing in the office of Escheatozship, or matter touching that office.) 42. Ed. 3. 4.

1 For the authoritie of Commissioners which are to inquire of Bankrupts, and what they shall doe in euery respect. S. Bankrupts 2. &c.

Bankrupts.

2 For all the authoritie of the Commissioners of Sewers, and what in each respect is to be done by force of the sayd Commission. S. Sewers 1. &c.

Sewers.

3 In what cases Commissions shall be directed to inquire of Purueyors behaviour. S. Purueyors 18.

Purueyors.

4 Where one Commission of the peace shall not be *Superseas* to an other. S. Iust. of Peace 109.

Commission of Peace.

5 For Commission to inquire of offences done vpon the Sea, and for the Commissioners authoritie, S. Piracie 1. 2. 4.

Piracie.

6 Purueyors shall shew their Commissions to them, of whom they take any thing. S. Purueyors 3.

Purueyors.

7 The substance, forme, and continuance of Commissions graunted to Purueyors. S. Purueyors 25. 26. 27. 31.

Purueyors.

8 Where Commissions shall be graunted to inquire of Iustices of peace & shew defaults for not inquiring of Riots. S. Riots 6.

Riots.

9 In what cases Treasons may be tried in any Countrey, by special Commission. S. Treason 9.

Treason.

10 In what cases a Commission shall be graunted to inquire of the misdemeanor of Villaines. S. Villaines 1.

Villains.

11 In what case a Commission shall be graunted vpon an Appeale out of an Archbishops Court. S. Appeales 5.

Appeales.

12 No suit before certaine Iustices and Commissioners shall be discontinued by

Condition, Couenant. Condite. Coniuration, &c.

a new Commission. S. Discontinuance of proces 6.

13 Commissions vpon Appeals vpon Ciuile or Marine causes. S. Appeals 8.

14 The Commission for executing spirituall iurisdiction, and the Commissioners authoritie. S. Crowne 3.

15 Commissions graunted to inquire for Money gathered for houses of correction, or stockes for the poore. S. Vagabonds 13.

16 Commissions to enquire of the misimployment of lands or goods giuen to godly vses. S. Hospitals 10.

Condition, Couenant.

Grantees of
reuerfions
aduantage a-
gainst leaſes.

AS wel all and every person and persons, and bodies politike, their heires, successors, and assignes, which haue any gift or grant of King Henry the eight, by his letters patents, of any Lordships, manours, lands, tenements, rents, parsonages, tithes, portions, or any other hereditaments, or of any reuerfion or reuerfions of the same, as also all other persons being grauntees, or assignes, or by the sayd King, or to or by any other person or persons, then the sayd King Henry the eight, and the heires, executors, successors, and assignes of every of them, shall and may haue, and enioy like aduantages against the lesſees, their executors, & assignes, by entrie for non-payment of the rent, or for doing of waſt, or other forfeiture, and also all and enerie such like, and the same aduantage, benefit, & remedies by action only, for not performing of other conditions, couenants, or agreements, contained and expreſſed in the Indentures of their said leaſes, demises, or graunts, against all and every the lesſees, fermors, and grauntees, their executors, administrators, and assignes, as the said lesſors or grauntoes themselves, or their heires or successors ought, ſhould, or might haue had and enioyed at any time. 32. H. 8. 34.

Leſſees ad-
uantage a-
gainst graun-
tees in re-
uerfion.

2 All fermors, lesſees, and grauntees, of Lordships, manours, lands, tenements, rents, parsonages, tithes, portions, or any other hereditaments for terme of yeres, life, or liues, their executors, administrators, and assignes, ſhal and may haue like action, aduantage, and remedie against all and every person and persons and bodies politike, their heires, successors, and assignes, which haue or shall haue any gift or grant of any person or persons, of the reuerfion of the same manours, lands, tenements, and other hereditaments so letten, or any parcel thereof, for any condition, couenant, or agreement contained, or expreſſed in the Indentures of their leaſes or leaſes, as the same lesſees, or any of them might and ſhould haue had against the said lesſors and grauntoes, their heires or successors (all benefits and aduantages of recoveries in balne, by reason of any warrantie in deed, or in law by voucher or other wiſe only excepted.) 32. H. 8. 34.

1 Conueyance of land, leaſe or rent with condition of reuocation or alteration. S. Fraudulent deeds 7.

Condite.

IF any person doe wilfully, maliciously, and unlawfully cut, or cauſe to be cut out the head or pipe of any Condite of any other persons, he shall loſe to the partie grieved treble damages, to be recovered by action of troſpas, and shall forfeit to the King x. s. for a fine. 37. H. 8. 6.

Coniuration, Enchantment, Witchcraft.

Coniuration
or enchantment
whereby any
person is hurt
or lamed.

IF any person or persons shall use, practise, or exercise any invocation, or coniuration of any evil and wicked ſpirit, or shall conſult, couenant wiſh, entertain, employ,

employ, feed, or reward any euill and wicked spirit, to or for any intent or purpose, or take vp any dead man, woman, or child, out of his, her, or their graue, or any other place, where the dead bodie resteth, or the skin, bone, or any other part of any dead person, to be employed or used in any maner of witchcraft, sorcerie, charme, or Enchantment, or shall vse, practise, or exercise any witchcraft, enchantment, charme, or sorcerie, whereby any person shall be killed, destroyed, wasted, consumed, pined, or lamed in his or her bodie, or any part thereof: When euerie such offendor, or offendors their aidors, abettores, and counsellors, being of any the sayd offences duely and lawfully conuicted and attainted, shall suffer paynes of death as a felon, or felons, and shall lose the priuilege and benefit of Clergie and Sanctuary. 1. Iac. 12.

2 If any person or persons shall take vpon him or them by witchcraft, enchantment, charme, or sorcerie, to tell, or declare in what place any treasure of gold or siluer should or might be found, or had in the earth, or other secret places, or where goods, or things, lost, or stolne, should be found, or become, or to the intent to procure any person to vnlawfull loue, or whereby any cattell or goods of any person shall be destroyed, wasted, or impaired, or to hurt or destroy any person in his or her bodie, although the same be not effected and done, then all and euery such person and persons so offending, and being thereof lawfully conuicted, shall for the same offence suffer imprisonment by the space of one whole yeare without boile or mainprise, & once in euery quarter of the sayd yeare, shall in some Market towne, vpon the Market day, or at such tyme, as any Fayre shall be kept, there stand openly vpon the Pillorie by the space of fire houres, and there shall openly confesse his or her error and offence. 1. Iac. 12.

Declaring
where things
be hidden, or
procuring
vnlawfull loue.

3 If any person or persons being once conuicted of the said offences, as is aforesayd, do oftentimes perpetrate and commit the like offence, then euery such offendor, being of any the sayd offences the second time lawfully and duely conuicted and attainted, as is aforesayd, shall suffer paines of death, as a felon or felons, and shall lose the benefit and priuilege of Clergie and Sanctuary. Having to the wife of such person as shall offend in any thing contrarie to this Act her title of Dowry, and also to the heire, and successor of euery such person, his or their titles of inheritance, succession, and other rights, as though no such attainder of the Ancestors or predecessors had being made. 1. Iac. 12.

The penaltie
for the second
offence.

4 Provided alwayes, that if the offendor in any the cases aforesayd, shall happen to be a Peer of the Realme, then his triall therein to be had by his Peeres, as it is vsed in cases of Felonie or Treason, and not otherwise. 1. Iac. 12.

Conspiracie.

Conspirators be they which bind themselves by othe, couenant, or other aliance, that euerie one shall helpe and maintaine others purpose, falsly, and maliciously to indite, or to moue or maintaine suits: And also that cause Infants to appeale other of felony, whereby they are imprisoned and much grieved: And such as retaine men in their Countrey with liueries or fees, to maintaine their lewd enterprises, and to subuert the truth, as well the takers, as the giuers: And Bailifes & Stewards of great Lords, which by their Seigniorie, office, or power, do undertake to maintaine or uphold other quarrels or suits, then such which concerne their Lordes, or themselves. 33. E. 1.

who be Conspirators.

2 A man shall haue a writt out of the Chaucerie against Conspirators, false Informers, and Imbracers of Rises, Enquests, and Iuries: And also Iustices of either Bench, and of Assise, when they come into the Countrey to take Rises, shall

The punishment of Conspirators.

Conspiracie. Conuocation.

shall make inquirie thereof vpon any mans plaint without writ, and shall without delay doe right to the Plaintifes. 28. Ed. 1. 10.

Conspiracie
vpon appeals,
et. of Felonie
committed in
a place suppo-
sed, where
there is no
such.

3 Appales and Inditments of Treason and Felonie, supposed to be done in places where there be no such places in the same Countie, be voyd, and also the proces thereupon awarded: And they which be indicted or appealed, may haue a writ of Conspiracie against their Inditors, Procurors, and conspirators, and shall recouer their dammages, and the Inditors, Procurors, and Conspirators, shall be imprisoned, make fine and ransome to the King, by the Iustices discre- tion. 18. H. 6. 12.

Conspiracy
to destroy the
King, or any
Lord.

4 The Steward, Treasurer, and Controller of the Kings house for the time being, or one of them, haue full authoritie and power to inquire by twelue sad men, and discret persons of the Checke Roll of the Kings honourable Household, if any seruant admitted to be his seruant swoyne, and his name put into the Checke roll of Household, whatsoever he be, seruing in any maner office, or come, reputed, had and taken vnder the estate of a Lord, make any Confederacies, compassings, conspiracijs, imaginations with any person or persons, to destroy or murder the King, or any Lord of this Realme, or any other person swoyne vnto the Kings Councell, Steward, Treasurer, Controller of the Kings House: That if it be found before the sayd Steward for the time being, by the sayd twelue men, that any such of the Kings seruants, as is abovesayd, hath cōfederated, compassed, conspired or imagined, as is abovesayd, that he so found by the enquirie, be put there- upon to aunswere. And the Steward, Treasurer, and Controller, or two of them, haue power to determine the same matter according to the Law. And if he be put in tryall, that then it be tried by other twelue sad men of the same household. And that such misdoers haue no Challenge but for malice. And if such misdoers bee found guiltie by confession, or otherwise, that the sayd offence be iudged felonie: and they to haue iudgement and execution, as Felons attainted ought to haue by the common Law. 3. H. 7. 14.

Challenge.

1 For conspiracies or agreements made by artificers, touching selling their Vi- tuals, or doing their workes, S. Artificers 1. 2. Corporation 7.

Conuocation.

**The Cler-
gies liberties**
at the Conuo-
cation.

All the Clergie which bee called to the Conuocation by the Kings writ, and all their seruants and familiars, shall fully vse and enioy such libertie or de- fence in coming, carrying, and returning, as the great men, and commons of the Realme haue, or are wont, or ought to enioy, which are called to the Parliament. 8. H. 6. 1.

The Clergies
constitutions.

2 The Clergie, nor any of them, shall presume to attempt, alledge, clayme, or put in vze, any Constitutions, or D;binances p;rouinciall or synodall, or any other Canons, nor shall enact, promulge, or execute any such Canons, Constitutions, or D;binances p;rouinciall, by whatsoever name or names they may bee called in their Conuocations (which alwayes shall be assembled by authoritie of the Kings writ) vntill the same clergy may haue the kings roiall assent, and licence to make, promulge, and execute such Canons, Constitutions, and D;binances p;rouinciall or synodall, vpon payne of euery of the sayd Clergie doing contrary to this act, and being thereof conuict, to suffer imprisonment, and make fine at the kings will. 25. H. 8. 19. 1. Eliz. 1.

Assemblies
for
religion shalbe
only within
England.

3 No person resiant in any of the kings dominions, shall depart out of the sayd Dominions to or for any visitation, congregation, or assemblies for religion, but all such visitations, congregations, and assemblies, shalbe within the Kings domi- nions. 25. H. 8. 21. 1. Eliz. 1.

Cōpi.

Copiholds and Copiholders.

Wheras the h. Paieſtie is given to underſtand that diuers of his louing Subjects holding lands, tenements and hereditaments, by Copie of Court Rolle of diuers of his Maieſties, are notwithstanding ſubiet to much queſtion and exception, either becauſe the ſayd Lands, Tenements and Hereditaments were not perhaps originally parcels of the ſayd Maieſties, nor time out of mind, according to the ſtrict interpretation of Law, haue bene Copie hold Lands, or Tenements demised or demisable by Copie of Court Rolle of the ſayd Maieſties: Or becauſe the fines payable for admittances upon Deſcents, Surrenders, Graunts, and Ali- nations of or to their ſuch Copie hold Lands, Tenements and hereditaments, and other their vſages, cuſtomes, liberties and priuiledges concerning the ſame are eyther vncertaine, or not ſo plaine, but y both for the preſent and future times, much trouble, loſſe and diſquiet may riſe and happen vnto ſuch Copie hold Tenants. And where his Maieſtie taking knowledge of the premiſſes and minding to doe ſauour to all his louing Subjects in thoſe caſes, and to ſettle, ſecure, and eſtabliſh their Copie hold eſtates according to true meaning: hath bin pleaſed that the Lord Treasurer of England, and the Chancellors of his Courts of Exchequer and Duchie reſpectively ſhould take order vpon reaſonable compoſitions to be made with his Maieſtie, as to their wiſedome ſhould ſeeme fit, by ſuch Tenants, to eſtabliſh their Copie hold eſtates, by decrees of the ſayd ſeueral Courts reſpectively, according to true meaning. In perſormance of which his gracious directions, diuers decrees of that nature haue bin already made, and others are intended from time to time to be made, vpon ſuch compoſitions to be had with the Lord Treasurer, and Chancellors of the Exchequer and Duchie for the time being, for and on his Maieſties behalfs as aforeſayd. Wherefore be it enaged ec. That all the Meſuages, Cottages, Millles, Lands, Tenements and Hereditaments contayned, or mentioned in any decree or decrees to be made in any the ſayd courts of Exchequer Chamber, or Duchie, at any time ſince the firſt day of this preſent ſeſſion of parliament, or within 3. yeares from thence next inſuing, vpon compoſitions made with his Maieſties ſayd Officers, on his Highnes behalfs as aforeſaid, and in and by the ſame decreed, to be from thenceforth good and perfect Copie hold lands, ſhal from the time of ſuch decrees or decrees made, be taken and adiudged to be good & perfect Copie hold lands, tenements and hereditaments according to the true intent and meaning of the ſayd decrees reſpectively. And that all and euerie perſon and perſons ſhal and may haue, hold, vie and enioy the ſayd Meſuages, Cottages, Millles, Lands, Tenements and Hereditaments, to them their heires and assignes for ever, by Copie of Court Roll, or otherwiſe, according to the cuſtomes of the ſayd Maieſties, ſeuerally and reſpectively, according to the purpoſe and effect of the ſayd decrees, ſo ſuch fines, rents, duties, and by, with, & according to ſuch Cuſtomes, Priuiledges, Liberties, profits and commodities, and in ſuch manner and ſort, as in and by the ſayd decrees ſhall be limited and appointed. 7. Jacobi 21.

Causes of exception to copie hold eſtates.

The estate of the Kings copie hold Tenants confirmed by decree.

2 And be it further enaged ec. That the ſayd decrees and euerie of them, and euerie Clause, Article and ſentence in euerie of them ſo be contayned ſhall ſtand and be ratified, allowed, approved and confirmed by the authoritie of this preſent Parliament: And that the ſame decrees and euerie of them, ſhall ſtand and be of ſoſorce to bind and conclude as well the Kings Maieſtie his heires and ſucceſſors, as alſo all other parties to the ſame, their heires and assignes, and all claiming by, from or vnder them, in all things, according to the purpoſe, intent and true meaning of the ſame decrees: And that euerie clause, Article and ſentence in them, or any of them to be contayned, ſo ever from and after the making of the ſame decrees, ſhall ſtand

All decrees concerning the Kings Copie holders confirmed.

Copihold and Copiholders. Corne and Graine.

stand, be and remaine, and be adiudged and taken to stand, and be of such and the same force and effect to all intents and purposes, as if the same decrees, and every of them, and every clause, article and sentence in them and every of them to be contained, were specially and particularly herein expressed, & by the authority of this present Parliament enacted. 7. Jac. 2. 1.

By saving of
the Action
right of
them.

3. Saving nevertheless to all and every person and persons, bodies politique, and corporate, their heires and successors (other then the Kings Highnes his heires and successors) all such Actions, estates, possessions, rights, titles, interests, rents, and demands, profits, Commodities and advantages whatsoever, as they or any of them have, shall, may, or ought to have, or, in, to, or out of all, or any of the premises, in such and the same estate, degree, plight, manner and forme to all intents & purposes, as if this act had never bene had nor made. 7. Jac. 2. 1.

Corne and Graine.

No corne &c.
shall be trans-
ported with-
out licence.

NO person shall transport out of this Realme, by any Ship, Crayer, or other Vessel, into any place beyond the Seas, or into Scotland, any Wheat, Rye, Barley, or other Corne or Graine, growing within this Realme, or any Spault made within the same, or any Butter, Cheese, Herring, or Wood (except onely to and for the victualling and furniture of Bachelors, & the marches of the same) without lawfull authority so doe, upon payne that the owner of the said Corne, Butter, Cheese, Herring, and Wood, so forfeit the double value of the same so carried to the A. & J. to be recovered by A. J. &c. wherein no W. & C. P. & C. And the Master and Mariners of every of the said Ships &c. for every such offence so forfeit all their goods, and to be imprisoned one whole yeare without baile or mainprize: and the owner of the said Ships, Crayers, and other vessels, with all their apparel to them belonging, wherein the said corne &c. shall be so transported, 1. & 2. P. & M. 5. But no forfeiture of Ship, Crayer, or other Vessel, or of any apparel of the same, nor any other penaltie, shall be extended against any owner of any Ship, Crayer, or other Vessel, for the transporting of any corne or other things aforesaid, unless the same owner shall be wilting, knowing, aiding, or consenting to the prohibited transporting. 5. El. 7. 1. Jac. 2. 5.

No corne &c.
shall be carried
to any ship to
be transported

2. If any person doe carie and conuey away by Boat, Crayer, or other Vessel, or otherwise, any wheat, Rye, Barley, Spault, or other Corne or Graine, or any Butter, Cheese, Herring, or Wood, to any Ship or vessel being on the seas, or within any Haven, Creek, or other place of the border of this Realme, to be transported beyond the seas, or into Scotland, without sufficient authority so to doe, then every owner of the said victuals, corne, and other things aforesaid, so transported, and the owner of every such Boat, or vessel, and the boatmen and mariners of the same, shall forfeit and suffer all such paines and penalties as are above rehearsed, to the A. & J. &c. to be recovered by A. J. &c. wherein no W. & C. P. & C. 1. & 2. P. & M. 5.

He that hath
licence to trans-
port, carieeth
more.

3. If any person shall obtaine of the Quene, her heires, or Successors, any Licence to transport any Corne, Victuall, or wood beyond the seas, if he or any other to whom he shall give, grant, or sell his said licence, shall carry or cause to be carried any more Corne, victuall, or wood, then shall be contained in his said licence, he shall forfeit the treble value of the said corne, victuall, or wood, so transported without sufficient authority, and shall suffer imprisonment for one whole yeare without baile or mainprize in the common gaole, where he shall be apprehended. 1. & 2. Ph. & M. 5.

4. No person that shall have any such licence for transporting any corne, victuall,

or wood beyond the seas, shall ship the same or any part thereof at sundrie places within this Realme, but at one place certaine, upon pain of forfe. of the same, and all his goods & cattels, to the *Qu. & J. q.* to be recovered by *A. J. q.* wherein no *W. q.* *C. p. q.* 1. & 2. *P. & M. f.*

He that hath licence to traſ-
port Coyn &c.
shall lade it at
one place.
Witnallling
of Shippes.

This Act shall not extend to any persons for the necessarie victualling of any ships, or other vessels, neither shall it be prejudiciall to the Lord Admirall of England, for the time being, or to the Quenes iurisdiction of the Admiraltie, but the said Admirall or his deputies shall use and execute all kind of iurisdiction belonging to the sea, according to his or their Commissions. 1. & 2. *Ph. & M. f.* S. Justice of Peace 27.

6 When the prices of Coynes or Graines exceed not the rates hereafter following, at the times, Haucns, and places, where and when the same Coyne or Graine shall be shipped or laden, viz. The quarter of Wheat at five and twenty shillings eight pence, the quarter of Rye, Pease, and Beanes at fiftene shillings, the quarter of Barley or Hault at foureteen shillings of currant English money: When it shall be lawfull for all and euerie person and persons being Subjects of the King, his Heires, or Successours, to transport of his owne, and to buy and transport any of the said Coynes and Graines vnto any parts beyond the Seas in amitie with his Maestie, to sell as Merchandize in Shippes, Crayers, or other Vessels, whereof any English borne Subject or Subjects then shall be the owner or owners. Any Lawe &c. notwithstanding. And the King, his Heires and Successours, shall haue and receiue by the Customers and Officers of his Ports, for the Custome or Pondage of euerie quarter of Wheat to be transported by force of this statute, two shillings, of euerie quarter of other Graine fiftene pence, which sayd severall summes so to be had and taken as custome or pondage, to be in full satisfaction of all manner of custome or pondage for the said coyne or graine by any Constitution, or der, statute, law, or custome heretofore made, vled, or taken for transporting of any such manner of coyne or graine. Provided alwaies, that the King, his heires, and successours, may at all times by his and their writ of Proclamation to be published generally in the whole Realme, or in any of the Countiees of the Realme, where any port towns are, command, that no person shall by vertue of this act, traſ-
port or carry any maner of graine out of his highnes dominions generally, or out of any speciall ports to be in the same proclamation particularly named, for such time as shall be therein limited and appointed. And it shall not be lawfull for any person to carie out any such Graine, contrarie to the tenor of the same Proclamation, upon such paines and forfeitures, as by the Lawes and Statutes of this Realme are and haue bene provided and ordained in that behalfe: This Act &c. notwithstanding. 1. *Iacob. 2. f.* At all times from and after the Feast of Pentecost, which shall be in the yeare of our Lord God one thousand five hundred and seuen, it shall and may be lawfull for all and euerie person and persons to transport of his owne, or to buy and transport, or cause to be bought and transported, any Ware with the Caste, vnto any place or places beyond the Seas, in amitie and league with his Maestie, his heires, or successours, to sell or Merchandize, or otherwise, in Shippes, Crayers, or other Vessels, when the price of euerie quarter of Hault, at the times, Haucns, and places, when and where the same shall be shipped and laden, exceed not the summe of fiftene shillings currant English money, Any Lawe or Statute to the contrarie notwithstanding. And the King, his heires, and successours, shall haue and receiue by the Customers, Controllers, and officers of his Ports, where such Ware shall be so shipped, or laden to be transported, the summe of viij. s. vi. d. for Impost, & xviij. d. for custome to be payed by euery Subject of the King, his heires, and successours, for euerie Tonne of Ware so to be transported: And likewise the summe of i. s. for Impost, and xij. d. ob. for custome to be payed by euerie Stran-

Coyne of cer-
taine prices
may be trans-
ported.

Ware may be
transported.

The li. im-
post & custome
for Ware
transported,

ger,

Corne and Graine.

Clapbord.
Casse.

Corne may be
transported
when the pri-
ces be allowed
reasonable.

ger, which shall be in full satisfaction of all manner of Customs, Bondage, Impost, or other duties whatsoever for the same Ware, Any Constitution, Order, Law, Statute, or Customs heretofore made, used, or taken for transporting of any such Ware, to the contrary in any wise notwithstanding. This Act nor any thing therein contained, shall extend to repeale or make void any Clause, Article, or Provision contained in any former Lawe, now in force, touching the bringing in of Clapbord, Caske, or Shaffold-bord, but euerie such March, Article, Clause, or Provision, shall extend as well vnto all and euerie transportation, or transportations, made lawfully and warranted by vertue of this Act, as otherwise, any thing contained in this Act to the contrary notwithstanding. 3. Iacobi 11. This Act to continue but to the end of the first Session of the next parliament.

7 It shalbe lawfull to all persons, being subjects of the Quene, her heires, and successors, and inhabiting within her dominions, (only out of such ports & crèches, where are or shall be resident a Customor or Collector of Subsidie of Tonnage, and Bondage, or one of their deputies, and not elsewhere) to load, carie, or transport any Wheat, Rie, Barley, Pease, Beans, into any parts beyond the seas, being in amity with this Realme, and not prohibited by any restraint or Proclamation, only to sell as merchandize in shippes, crayers, or other vessels, bearing crose sayles, whereof any English bozne subjects inhabiting within her Highnesse dominions then shalbe the only owners, at all such times as the seuerall prices thereof shalbe so reasonable in the seuerall counties, where any such transportation shalbe intended, as that no prohibition shalbe made either by the Quene, her Heires, or Successors, by Proclamation to be made in the Shire Exche, or in any Port Townes of the Countie, or else by some order of the Lord President and Counsell in the North, or the Lord President and Counsell in Wales, within their seuerall iurisdicions, or of the Iustices of Assises, at their Session in other shires out of the iurisdiction of the said two presidents and Counsels, or by the moze part of the Iustices of the Peace of the Countie at their Quarter Sessions in this manner following: That is, the said Lord Presidents & Counsels for the shires within their iurisdicions, the Iustices of Assise at their seuerall Sessions (in other shires out of the said iurisdicions, belonging to the said Counsels in the North, and in Wales) yearly shall vpon conference had with the Inhabitants of the Countrey of cheapnesse and dearth of any of the sayd kinds of Graine within the Counties, within the iurisdicions of the said Counsels, or in the other countreies, within the limits of the said Iustices of Assise, by their discretion determine whether it shall be meet at any time to permit any Graine to be caried out of the Realme, by any port within the sayd seuerall iurisdicions or limits, and so shall in writing under their hands & seales make a determination, either for permission or prohibition, & the same cause to be by the Shereife of the Counties published and affixed in as many accustomed market townes and ports within the said shire, as they shall think conuenient, and in such manner, as the Quenes Proclamations are usually published and affixed, which determination of the said presidents and Counsels in their iurisdicions, and of the Iustices of Assise in their limits shall continue in force for the time, place, and manner therein expressed, vntill the said Presidents & Counsels shall otherwise order, or vntill the I. of Assise, at their being in their said circuits, in euery of the said Counties shal alter, or otherwise order the same, except if same shalbe otherwise in the meane time altered or countermaunded by the Q. her heires or successors, or by some order of the I. of P. in the Counties situated out of the iurisdicions of the said Counsels, in their Sessions to be holden in the mean time, or the greater part of them, which shall find the same determination of the I. of Assise to be hurtfull to the Countrey by means of dearth, or to be a great hindrance to tillage by the meanes
of

of too much cheapenesse, and shall by their writings vnder their hands and Seales, make any determination to the contrarie, either for permission or prohibition of carriage of any kind of graine out of the Realme, & the same determination shall cause in like manner to be published & affirmed as above is said: which determination shall also continue in force, except the same shall be altered by the Q. her heires or successors, or vntill the J. of Assise at their being in their said circuits in euery of the said Counties afoze to them limited, shall alter, or otherwise order the same, who shall and may vpon new conference had, from time to time, alter the said determination, in the whole, or in the part, as to their discretions shall seeme meet, & the same shall also cause to be published as is before prescribed: But neither any of the sayd Presidents and Councels, nor the said J. of Assise, nor the said Just. of Peace, shall publish any their determinations above mentioned, vntill the same shall be first by writing notified to the Q. or to her priue Councill, and by her Gaucerie or her p. i. ue Councill shall be liked and alloweb. 13. Eliz. 13.

No determination published without the Q. or her Councels assent.

8 The Q. her heires and successors may at all times by her writ of Proclamation to be published generally in the whole Realme, or in the counties of the Realme, where any port Townes are, command, that no person shall by vertue of this Act transport any graine to any parts out of her dominions, either generally out of any port in the Realme, or particularly out of any speciall ports to be in the same Proclamation named, & it shall not be lawfull for any person to carrie out any such graine contrarie to the tenor of the same Proclamation, vpon such paines as by the lawes of the Realme are and haue bene provided. 13. Eliz. 13.

The Q. may restrain transporting of corne by Proclamation.

9 Whosoever shall bring into any port or place of this Realme, any wheat, rie, or barley, which is not growing within the R. dominions, at any time when the quarter of wheat doth not exceed the price of vi. s. viij. d. the quarter of rie iij. s. the quarter of barley iij. s. within the port or place, where such graine shall be brought, shall forfeit the said graine to the R. and him that will seise the same. But this Act extends not to any wheat, rie, or barley, taken by any of the R. liege people vpon the sea, without fraud or couin. 3. Ed. 4. 2.

A restraint of bringing corne into this Realme.

10 If any person hauing sufficient corne for the provision of his house, & sowing of his ground for one yeare, doth buy any corne in any faire or market, for the change of his seed, & doth not bring to the same faire or market, the same day, so much corne as he shall buy for his seed, & sell it (if he can) as the price of corne then goeth in the said faire or market, When euery such person so buying corne for seed shall forfeit double the value of the corne so bought, to the R. and J. to be recovered by A. J. &c. wherein no W. &c. E. D. &c. 5. Ed. 6. 14. 13. Eliz. 25.

He that buyeth corne for change of his seed, must bring in as much to the same market.

1 For the custome of corne transported. S. Custome 4.

Corpus cum causa.

If a Corpus cum causa, or Certiorari, be awarded to remove the bodie of any person which is condemned in any of the R. Courts, and the cause into the Chancery, the prisoner shall be remaunded continually to remaine in prison, without being let to baile or mainprise, vntill he hath agreed with the plaintife for the summe adjudged. 2. H. 5. 2.

2 He that sueth to defeat an execution vpon a Stat. Staple, & therupon cometh into the Chancery by Corpus cum causa, & there hath a Scire facias against the partie, vpon that defeasance, or such like, he shall find suretie as well to the R. as to the partie severally, to yield his body, & pay the money, if the matters comprised in the Scire facias be not found or adjudged for him. 11. H. 6. 10.

If

Corpo-

Corporations, Maiors, and head Officers, &c.

Corporations, Maiors and head Officers of the same.

None or di-
nances with-
out consent of
the Chancelor
or Justices.

NO Basters, Wardens, and Fellowships of Crafts or Myseries, nor any of them, shall take upon them to make any Acts or Ordinances, ne to execute any by them heretofore made, in disheriting or diminution of the prerogative of the King, nor of other, nor against the common profit of the people, but if the same Acts or Ordinances be examined and appoyed by the Chancelor, Treasurer of England, or chiefe Justice of either Benches, or three of them, or before both the Justices of Assise in their circuits or progresse, in the Shire where such Acts or Ordinances be made, upon paine of for. of xl. l. for everie time that they doe the contrarie. 19.H.7.7.

No ordinance
to restraine
suit in the R.
Court.

2 None of the same bodies corporat shall make any Acts or Ordinances to restraine any person to sue to the R. or to any of his Courts, for due remedie to be had in their causes, ne put ne execute any penaltie or punishment upon any of them, for any such suit made, upon paine of for. of xl. l. for everie time that they doe the contrarie. 19.H.7.7.

None shalbe
restrained to
keepe shop.

3 No Basters, Wardens, or Fellowships of Crafts, nor any of them, shall compel, or cause any pzentice or iourneyman, by oath, or band, or other wise, that he after his apprentiship, or terme expired, shall not set up, nor keepe any shop, house, or sellar, nor occupy as a freeman, without licence of the Baster, Wardens, or Fellowship of his occupation, for concerning the same, upon paine to for. for everie time that they or any of them shall offend contrarie to this Act, xl. l. to the R. and J. to be recovered by A. J. etc. wherein no C. p. etc. 28.H.8.5.

The fees for
entry of ap-
prentices and
freemen.

4 No Baster, Wardens, or Fellowships of Crafts, nor any of them, shall take of any apprentice, or other person, for the entrie of any pzentice into their said Fellowship, above the summe of y. s. vi. d. nor for his entrie when his yeares and terme is expired, above y. s. iij. d. upon pain to for. for everie time that they or any of them shall offend contrarie to this Act, xl. l. to the R. and J. to be recovered by A. J. etc. wherein no p. C. etc. 22.H.8.4. 28.H.8.5.

In Corpora-
tions none shal
have a nega-
tive voyce.

5 All & every particular act, order, rule, and estatute, heretofore made, or hereafter to be made by any Founder or Founders of any Hospitall, Colledge, Deanry, or other Corporation, at or upon the foundation of the same, whereby the graunt, lease, gift, or election of the gouernor or ruler of such Hospitall, Colledge, Deanry, or other Corporation, with the assent of the more part of such of the same Hospitall, etc. as haue or shall haue voyce of assent to the same, at the time of such grant, lease, gift, or electio to be made, shold be in any wise binded or let by any one or mos, being the lesser number of such Corporation, contrary to the course of the Common law of this Realme, shall be clerely void. And all oathes heretofore taken (viz. before the said Stat. made 16. die Ianuarij, An Dom 1541.) by any person of such Hospitall, Colledge, Deanry, or other Corporation, shal be for and concerning the obseruance of any such order, estatute, or rule, deemed void. And no person of any such Hospitall, Colledge, Deanry, or other Corporation, shall be in any wise compelled to take any oath for the obseruing of any such order, estatute, or rule, upon the pain of every person giving such oath, to for. for everie time so offending, v. l. to the King and J. to be recovered by A. J. etc. wherein no W. etc. C. p. etc. or other dilatorie plea shal be allowed. 33.H.8.27.

Officers shall
set by tables
of all duties.

6 All and singular officers for every City, Borough, or Town, where any custome, toll, duties, or summes of money shall be demanded of any alien bozne made denizen, shall set by, or cause to be set by in open place and places of every such city, borough, or towne, a table or tables, by which the certaintie and very ductie of euerie such Custom, etc. of wares to be demanded, may plainly appear, to the intent that

that nothing be erected other wise than in old time hath bene used, upon paine, that every City not doing the same, shall lose v.l. and every Towne co:pozat xl. s. for everie moneth the same table shall faile to be set vp, to the R. and J. to be recovered by A. J. &c. wherein no W.C.P. &c. Provided, that the table set vp in London, touching Scavage within the same, shalbe first viewed, examined, and approued by the Chancellor and Treasurer of England, the President of the R. Council, the L. priuie Seale, the L. Steward of the R. household, and the two chiefe Justices &c. for the time being, or by foure of them at the least, & by them subscribed. 2. H. 8. 8. S. Aliens 2.

The tables in London touching Scavage.

7 If any conspiracie, covenant, or promise, be made by any Societie, Brother hood, or Companie of any craft or mysterie of the Butchers, Brewers, Bakers, Pulvers, Cookes, Coffermongers, or Fruiterers, that they shall not sell their victuals but at certain prices, with the presence or consent of the more part of them: then immediatly upon such conspiracie &c. beside the particular punishment appointed to the offender, their Co:pozation shalbe dissolved to all intents. 2. Ed. 6. 15. S. Artificers 2.

Compacts made by Victuallers.

8 Maiors, Sheriffs, and Bailiffs of Cities, & Boroughes, haue power to inquire Arrow heads within the same, of all false makers of Arrow heads, & Quarels, & to punish them according to the Stat. in that case provided. 7. H. 8. 7. S. Arrow heads 1.

9 Maiors and Bailiffs at their Courts haue authoritie to enquire, heare, and determine all and singular offences committed by Victuallers, Artificers, Workemen, and Labourers, against the Stat. for them provided 2. E. 6. and to punish the offenders according to the tenor of the same Statute. 2. Ed. 6. 15. S. Artificers 1.

10 In every city, borough, and towne, where there be Maiors, Sheriffs, or head Officers, they haue authoritie to name and selle the prices of euery barrell, kilderkin, and sickin, of ale & bere: And the ale and bere Brewers shall not sell their ale and bere at higher prices than shall be assessed vnto them. 23. H. 8. 4. S. Brewers 2.

The prices of Ale & Bere.

11 Maiors, Bailiffs, & other head Officers of the Port or place where any soldier shall arrive (which hauing mustered & received the R. wages, doth depart from his Captaine within his terme without licence) haue authoritie to arrest and keepe the same soldier, vntill further inquirie (according to the order of the law) be made of his offence. 18. H. 6. 19. S. Captaines 3.

Souldiers.

12 The prices of all barrells, kilderkins, sickins, & other vessels to be sold for ale, bere, or sope, to be vttered therein, shall be taxed by Maiors, Bailiffs, & other head officers of euery city and towne co:pozat, where any such vessell shalbe made and offered to be sold. 8. Eliz. 9. S. Coopers 1.

Barrells and Kilderkins.

13 The Maiors, Sheriffs, Bailiffs, Constables, & other head Officers in such cities, boroughes, & townes, wherein no Wardens of Copers be, haue authoritie to search, view, and gauge, all barrells, kilderkins, sickins, & other vessels, that they be made and marked sufficiently, & containe the true and lawfull rates and measures, and to marke euery vessell bearing the true content. And to take for searching and gauging of euery such vessell, q. And they may retaine the vessell vntill they be satisfied thereof. And if they find any vessell defectiue, not bearing the true contents, they may retaine the same, and cause it to be marked and amended, or else to be burned. And the same authoritie haue the Wardens of the Copers within London, taking with them an Officer of the Maiors, to search & marke all vessels within London, the Suburbs, & two miles compass of the suburbs. 23. H. 8. 4. S. Coopers 2. 5.

Marking of vessels.

14 All Maiors, Bailiffs, & Couernors of cities, boroughes, & market townes, and all other places of this realm, where there be Maiors, Bailiffs, or Couernors, haue authoritie to name and chuse discreet and expert person or persons, daily to search and gauge all vessels of Salmon, Herring, & Eeles, that they be faithfully packed,

Vessels of Salmon, Herring, and Eeles.

Corporations, Maiors, and head Officers, &c.

and keepe their measure and assise. 22.E.4.3. 11.H.7.23. S.Fish 8.9.10.11.

**For making
of mault.**

15 The Iustices of peace within any Countie of this Realme, shall not intro-
mit or enter into any City, Borough, or Towne corporat, for execution of any arti-
cle in the Act (made to restraine the excessive making of mault) except he be a Iustice
of B. also in the said City, Borough, or Towne corporat. But it shall be lawfull to
the Iust. of B. Sheriffs, Bailiffs, & other head officers of those Cities, Boroughes,
and Townes corporat, where they keepe Sessions, to proceed to the execution of the
said Act, and every article therof, within the precincts of their liberties, at such time
and times, and so often as to them shal seeme meet, in as large and ample maner as
the Iust. of peace in any Countie may do. 39.Eliz. 16. S. Mault 6. &c.

**Cappers,
Hatters.**

16 It is lawfull to the Master & Wardens of the Company of Haberdashers
within London, calling to them one of the Company of Cappers, and another of the
makers of Hats, as often as need shall require, within the said Citie, or thre miles
compass of the same, to search all Cappers and makers of Hats, and the offendours,
and defaults by them found, to correct and punish by fines and other wise, as in like
cases they doe other offendours, and defaults within the said Company. And it is
lawfull to all Sheriffs, Bailiffs, and other head officers, in all other Cities & Townes
corporat, to doe the like. 8.El. 11. S. Hats 3.

**Labourers.
Servants.**

17 For the authority and dutie of every Sheriff, Bailiff, or other head officer of
any City, Borough, or Towne corporat, concerning the wages, order, direction,
and reformation of labourers, artificers, servants, & apprentices, within the limits
of their iurisdiction, by force of the Stat. therefore provided 5.El. 4. S. Labourers &c.
and Iust. of P. 66. 67. 68. And all amerancements, fines, issues, & forfeitures, which
shall grow by reason of any offences mentioned in the said Statute or any branch
thereof, within any Citie, or Towne corporat, shall be levied & received by such per-
sons of the same Citie or Towne, as shall be appointed by the Sheriff or other head
officer thereof, to the use or maintenance of the same Citie or Towne, in such case
as other amerancements, issues, &c. have been used to be levied and imploied within
the same, by reason of any grant or charter from the Quene or of any her progeni-
tors, granted to the same Citie or Towne. 5.El. 4.

Tanners.

18 The Sheriff of London within the said Citie, & within thre miles compass
thereof, and all other Sheriffs, Bailiffs, & other head Officers of Cities, Boroughes,
and Townes within their severall iurisdiccions, shall enquire, heare, and determine
all offences committed contrary to the Stat. provided 1. Jac. touching Tanners,
Curriers, Shoonmakers, and other artificers occupying the cutting of Leather. And
also shall by their discretions, examine all persons suspected to offend the said Act,
or any part thereof, and the third part of all penalties of summes of money for-
feited by the said Act, in any City, Borough, or Town, shal go to the said City, Bo-
rough, or Towne, where the offence shall be committed. 1. Jac. 22. S. Leather 45.

**Heretics.
Retainers.**

19 The Sheriff, Sherif, Bailiff, or other chiefe officer of every City, Borough,
Towne, & Port within this Realme, having power to heare and determine perso-
nall pleas in the Court holden before them, or any of them, within any such Citie,
Towne, &c. have authority to receive information of any persons, which shall give
any licence or badge, or retaine any other than his meniall servant, officer, or lear-
ned man in the one law or other, by writing, oath, or promise, & of any person which
shall be so retained, and to heare and determine as well by examination, as by triall,
all things done concerning the same, by or to the inhabitants within the iurisdic-
tion of the same Court. And to put the Stat. for those offences provided in execution.
And the S. shall have the one moytie of all penalties forfeited by the said Stat. And
the Informer and chiefe officer of such City, Borough, &c. shall have the other, e-
qually to be divided betwixt them. And the said chiefe officers part shalbe imploied
to the use of the said City, Borough, &c. 8.Ed. 4. 2. S. Liceries 5.

20 All and singular Maiors, Bailifes, and Iustices of peace within any Citie, Borough, or Towne or port, in any parts within this Realme, within the limits of their Commission, haue authoritie to inquire of all offendours against Preachers, and other Ministers of the Church, & to heare and determine the same, & to set fines and amercedments of the said offendours, as in the Statute thereto provided, is limited. 1. M. 3. S. Preachers 1. 2.

21 All Maiors, Bailifes, Sherifes, and other head Officers, shall cause the Stat. made against unlawfull games, and for the maintenance of Artillerie, to be openly proclaimed once euery quarter of a yeare in euery Market, holden within their severall iurisdiccions. 33. H. 8. 9. S. Playes &c. 6.

22 Maiors, Sherifes, Bailifes, and other head Officers in Cities and Townes or ports, in their Courts within the limits of their authorities, haue power to enquire, heare, and determine, all and singular offences done in the land, or within any Haven or Port, contrarie to the Stat. made 5. El. (touching certaine politike constitutions for the maintenance of the Peace) and if any person shall be presented before them, within the limits of their authoritie, or any information giuen to them of any offendour of the said Act: then they haue authoritie thereupon to make proses against the offendour, as is commonly vsed vpon Indictments of trespass. And if any be presented, and afterwarde convicted by confession or otherwise, then he shall suffer no lesse forfeiture or punishment, than in the said Act is limited: for the leuying of which forfeiture, the said Maiors, and other head officers within the limits of their authorities, haue power to make such proses, as they shall thinke good by their discretions. But the information at the parties suit shall be within one halfe yeare, and the information or presentment at the Duenes suit, shall be within one yeare after the offence committed, or else the same shall not be of effect to put the partie to answer or losse. 5. Eliz. 1. S. Fish dayes. Ships 1. 2. 3. 4. 5.

23 Maiors, Sherifes, & Bailifes of Cities, haue authoritie to enquire, heare, and determine of all and singular offences committed contrarie to the Stat. provided 37. H. 8. against Usurie. 13. Eliz. 8. S. Usurie.

24 All Maiors, Sherifes, Bailifes, & other head officers of Cities, Boroughes, & Townes or ports, within the limits of their Comissions, as well within franchise as without, haue authoritie to examine, heare, enquire, and determine the defaults of such as shall attempt to sell any wines in grosse, or by retails, contrary to the statute provided 28. H. 8. and to punish the offendours by imprisonment, or otherwise by their discretions. 28. H. 8. 14. S. Wines 1. 2.

25 Maiors, Sherifes, Bailifes, or chiefe gouernours of such Cities, or Townes, where any Carrack, Gallie, or Ship, shall come to safe Port, of any Merchant strangers, their factors, attornies, or seruants, shall search, or suruey, the bolstanes, brought, sent, or conueyed into this Realme, by the said Merchants, &c. And shall assigne two expert men to search the said stanes, which two men shall be swozne by the said Maior, &c. that they shall truly and indifferently marke the stanes that be not good and sufficient, that all people may haue knowledge of them. 12. E. 4. 2. 13. El. 14. S. Bowes 1.

26 Maiors & Bailifes of Cities, and Boroughes within the same Cities & Boroughes, haue power to make execution of the Stat. of Portsmouth, provided 1. E. 3. against those which shall goe or ride armed. 2. E. 3. 4. 20. R. 2. 1. S. Armor 1.

27 No great man, or any other by strength, or threats, shall disturbe or hinder free election to be made. West. 1. 1. E. 1. 5. But when any dignity is void, they which haue the election, shall freely without threats of any secular power, intreatie, or oppression, proceed to their election. Artic. Cleri. 9. E. 2. 14.

1 What Maiors and other head officers shall or may do for the poore. S. Poore people 9. &c. And what for the punishment of Vagabonds. S. Vagabonds &c.

Corporations, Maiors, and head Officers, &c.

- Unlawfull games.** 2 For the authoritie of Maiors and other head Officers, concerning the restraining of vnlawfull games. S. Playes &c. 5. 6.
- Pinat of fences.** 3 Where any Corporation or Companie, or the head Officers of the same, shal make forfeit, or be punished for any particular persons offence. S. Leather 22. 29. Draperie 33. 43. 44. 110. Gold 12. Coopers 7.
- Mortmaine.** 3 It is Mortmaine for the chiefe Officer of a corporat Towne, to purchase any land to the vse of the Corporation. S. Mortmaine 4.
- Searchers of Leather.** 5 Maiors and other head Officers shall appoint expert men to search and seale Leather. S. Leather 23. 25. 26.
- Cloth searchers.** 6 Maiors and head Officers of Corporat towns, shal appoint certaine to search and seale cloth. S. Draperie 31. 32.
- Faultie cloth.** 7 How the chiefe Officer of any citie or towne shall vse faultie cloth presented vnto him. S. Draperie 29.
- Gunnes.** 8 How a head Officer shall vse those which shoot in Gunnes. S. Gunnes 11.
- Physicians.** 9 By what names the Physitians in London be incorporat, what priuiledges they haue, and what they may doe, and that all Maiors and other Officers shal assist them. S. Physicians 1. 4. 5. 7. 10.
- Fustians.** 10 The Maior & Wardens of the Shearmen of London may search the workmanship of Fustians and Clothes. S. Fustians 1.
- Goldsmithes.** 11 What the Wardens of Goldsmithes shall forfeit, if any worke by them touched and allowed for good, be after found deceitfull. S. Gold 12.
- Oyle.** 12 The chiefe Officer of any city and towne, may search all Oyles brought in to the same to be sold. S. Oyle 1. 2.
- Couerlets.** 13 The Wardens and Searchers of Couerlets within Yorke may search in all Faïres, from Trent Northward, for all Couerlets made within the Countie of York S. Couerlets 3.
- Hats.** 14 The Maior, Recorder, &c. of Norwich, shall admit those which shall make Hats, Couerlets, and Dornecks, within the Countie of Norf. &c. S. Couerlets 5.
- Couerlets.** **Dornecks.** **Hats 1.**
- Pewter.** 15 The head Officers of corporat towns may appoint expert men to search vefell of Pewter and Brasse. S. Pewterers 5. 6. 7.
- Brasse.** 16 A common Officer in a corporat Towne, shall bee no Customer. S. Customer 22.
- In Officer no Customer.** 17 In what cases the head Officers of Cities and Townes shal arrest the Caters of Noblemen, and others. S. Purueyors 1.
- Caters.** 18 Head Officers of Cities &c. may inquire of the offences prohibited by the Stat. made for the vniformitie of Common prayer. S. Sacraments 7.
- Uniformitie of Common prayer.** 19 How Riots, Routs, and Assemblies made in Cities and corporat Townes, shalbe inquired of, and repressed. S. Riots 13.
- Riots, Routs, &c.** 20 The duties of head Officers of Townes corporat, concerning the executing of the Stat. prouided against vnlawfull Assemblies. S. Riots 16. 17. 20. 21. 24. 25. 26.
- Unlawfull assemblies.** 21 Maiors, Bailifes, &c. of Cities and Boroughtes, may order, reforme, & punish Viſtuallers. S. Viſtuallers 1. 4. 7.
- Viſtuallers.** 22 How the prices of viſtuall ſhalbe aſſeſſed when any Viſtualler is choſen to beare office in any corporat Towne. S. Viſtuallers 9.
- Weights.** 23 The authoritie of the head Officers of corporat Townes, in keeping, marking, viewing, and examining of weights and meaſures. S. Weights 7. 8. 10. 11.
- Meaſures.** 24 The head Officers of corporat Towns ſhall haue the moiſtie of the forfeitures of thoſe which ſell wine in groſſe, contrary to the prices aſſeſſed &c. S. Wines 2
- Wintners.** 25 Head Officers of corporat Townes may enter into a Marchants houſe which denieth to ſell Wine at the price aſſeſſed, &c. and ſell and deliuer the ſame. S. Wines 4.

- 26 None shall sell wines in Towns corporat, but by the assignment of the head Officers thereof. S. Wines 9.
- 27 Head Officers of corporat Townes haue authoritie to assay Wines, & poure out the corrupt. S. Wines 15.
- 28 Where and before whom inhabitants in corporat Townes shal be charged to appeare at Musters. S. Capitaines 15.
- 29 There shalbe no vnion of any Church in a corporat Town, without the assent of the Maior and Comminaltie &c. S. Ecclesiast. 32.
- 30 No head Officer of a corporat Towne shall take Scauage, or Shewage of a Marchant for marchandizes customed &c. S. Marchants 2.
- 31 For the dutie of head Officers of corporat Townes, about the electing and returning of Burgesses of the Parliament. S. Parliament 5.6.
- 32 For the force of recoueries, deeds inrolled, or releases in certaine corporat Townes. S. Women 5.
- 33 Ordinances of Corporations made for the restraint of any person to take, fish, buy, or sell Fish, shalbe void. S. Fish 32.
- 34 Corporat Townes in Wales may hold pleas, and determine actions, as in England. S. Wales 55.
- 35 Officers of corporat Townes may execute the Stat. provided for the reliefe of Souldiers and Mariners. S. Capitaines 25.

Coroners.

All Coroners of Shires shall be chosen in the full Counties, by the Commons of the same Counties, of the most meet & worthie people, which may be found in the same Counties to execute the said Offices, and of the most sage and wise knights, which doe best know, can, and will attend vnto the same Office, & which will lawfully attach & present the pleas of the Corone. 3. Ed. 1. 10. Alwayes sauing to the King and other Lords which ought to appoint such Coroners their franchises. 28. Ed. 3. 6. But no Coroner shall be chosen, if he haue not sufficient land in fee in the same Countie, whereof he may answer all people. 14. Ed. 3. 8.

2 If any Coroners be aduertised by the Kings Bailifes, or other honest men of the country, to come to those that be slaine, suddenly dead or wounded, or to house-breakers, or to any place where treasure is found, they shall immediatly come, and forthwith commaund foure, five, or six of the next Tolones, that they appeare before them in such a place, and when they come, the Coroners vpon their oath shall enquire if they did know of the man that was killed, where he was first slaine, whether in the field, or in the house, bed, tauerne, or in any companie, and who were there. 3. Ed. 1.

3 Likewise they shall inquire who were culpable, either of the act or force, and who were present, either men or women, and of what age they be, so they can speak and haue discretion: and they which be found guiltie by Inquisition in the foresaid manner, shall be taken, deliuered to the Sherife, and committed to the gaole, and as many of them as be not found guiltie, shall be attached, vntill the coming of the Iustices, and their names inrolled. 3. Ed. 1.

4 If any man be suddenly slaine, and found in the fields or woods, it is to be considered whether he were slaine there or not, if he were brought thither, their steps that brought him (if it may be) shal be followed, and so shal the tracke of horse and cart: And also it shall be enquired, if he that were slaine were knowne, or vnknowne, and where he lodged the night before. And if any be found guiltie of the death of such, immediatly the Coroners shall come to his house, and enquire what cattell he hath, and what corne in his grange, and what on the ground, and if he be a free

who shalbe
Coroners, &
by whom, and
where they
shalbe chosen.

Of what
things Coroners
shall enquire.

Murder.

Inquire of
the offenders.

If man found
slaine.

Coroners.

a free man, what free land he hath, and what it is worth by the year, beside the £ 02 of the fees service: but the land shall remaine in the R. hands, untill the £ 02 of the fee hath made a fine for it. And when they have inquired of all things, then they shall cause them to be p̄ised, as if they should straightway be sold, and then the bodie of him that is dead shall be buried. 3.E.1.

**Suddenly
slaine.**

5 Whereover, the Coroners shall enquire of them which be d̄ctoned, suddenly slaine, or strangled, by the signe of some hurt found vpon their bodies, or some other manifest token, and shall attach the finders, and all other in their companie. 3.Ed.1.

**Treasure
found.**

6 A Coroner ought to enquire of treasure that is found, who were the finders, and who are suspected thereof, which may be gathered by some mans delicate living and frequenting of Hauernes, which (vpon suspicion) shalbe attached by foure, or six, or moe pledges. 3.Ed.1.

Rape.

7 If any be appealed of Rape, he shalbe attached by foure or six pledges, if the Appeale be fresh, and the signe of truth apparant, or an open outcrie leued: But if it be without any manifest token or outcrie, two pledges shall suffice. 3.Ed.1.

**Whither or
wounding.**

8 Upon Appeale of Whither, if the wounds be mortall, they which be appealed shall forthwith be apprehended, and kept untill it be knowne whether he that is hurt shall recover or not: if he die, they shall be retained: if he liue, they shall be attached by foure or six pledges, according to the bignesse of the wound: if it be for a mayhem, then there shall be no lesse than foure pledges: if a small wound, two will serue. 3.Ed.1.

**The length,
breadth, and
deepnes of
wounds.**

9 The length, breadth, and deepnesse of all wounds ought to be viewed, & with what weapons, and in what part of the body the party was hurt, and also how many wounds there be, how many be culpable, and who gaue the wound, all which things shall be inrolled in the Coroners roll. 3.Ed.1.

Deodands.

10 Horses, Boats, Carts, commonly called Deodands, wherby any person shal perish, shall be valued and deliuered to the whole Townshipp, which shall be answerable thereto. 3.Ed.1.

Wrecke of sea

11 Whosoever layeth hands vpon the wrecke of the sea, shal be attached by sufficient pledges, the price of the wrecke shall be valued and deliuered to the towne to answer &c. Officium Coronatoris. 3.Ed.1. S.Wrecke.

**Coroners
shall inquire
and certifie at
the Gaole de-
liverie.**

12 If any Coroner be remisse in viewing of a dead bodie murdered or slaine, and doe inquire of them that haue done the murder or death, of their abettores, or consentors, who were present thereat, and their names, or so found, do not inroll, certifie, and deliuer his Inquisition to the Iustices of the next Gaole deliuerie in the Shire where the Inquisition is taken, that the same Iustices may proceed against such murderers, if they be in the Gaole, or else certifie the Inquisition into the Kings Bench, the said Coroner shall forfeit to the King for euery offence five pounds. 3.H.7.1.

**Enquire of
escape of the
murderer.**

13 The Coroner vpon the view of the dead bodie, may enquire of the escape of the murderer, for if he do the murder in the day, and escape, the towne shal be amerced. 3.H.7.1.

**Recording e-
vidence, and
binding par-
ties to giue it
at the Gaole
deliuerie.**

14 Every Coroner vpon any Inquisition before him found, wherby any person shall be indicted for murder or manslaughter, or as accessory to the same before the murder or manslaughter committed, shall put in writing the effect of the evidence giuen to the Jury before him, being materiall. And he hath authorizty to bind all such by Recognizance or Obligation, as doe declare any thing material to proue the said murder or manslaughter, or to be accessory to the same, to appeare at the next generall Gaole deliuerie to be holden within the County, City, or Towne cor- porat, where the trial thereof shall be, then and there to giue evidence against the party so indicted at the time of his trial, and shall certifie as well the same evidence

as

dence, as such bonds in writing which he shall take, together with the Inquisition or Indictment before him taken and found, at or before the time of his said trial to be made. And if any Coroner shall offend in any thing to the contrary, then the Justices of Gaole delivere of the Shire, City, Town, or place where such offence shall be committed, upon due proof thereof by examination before them, shall for everie such offence set such fine on such Coroner, as they shall thinke meet. 1. & 2. P. & M. 13. S. lust. of peace.

15 A Coroner which upon request to him made, to come and inquire upon the view of any person slaine, drowned, or otherwise dead by misadventure, doth not his office diligently upon the view of such body, without any thing therfore taking, shall forfeit xl. s. 3. Ed. 1. 10. 1. H. 8. 7. S. lust. of peace 86. But a Coroner shall have for his fee upon every Inquisition taken upon the view of a body slaine xij. s. iij. d. of the goods and cattels of the murderer, if he have any: and if he have no goods, the Coroner shall have his fee of such amercement as any Towneship shall be amerced for escape of such murderer. 3. H. 7. 1.

16 The Sherife shall have counter Rolles with the Coroner, as well of Appeals of Enquests as of Attachments, and other things which doe belong to this Office. Westminster. 1. 3. Ed. 1. 10. But no Sherife, Constable, Escheator, Coroner, or any other Bailife of the Kings, shall hold pleas of the Crowne. Mag. charta 9. H. 3. 17.

17 Upon the Inquisition to be made by the Coroner of the death of a man, every one of the age of xij. yerres ought to appeare, except they have a reasonable excuse of their absence. Marleb. 5. 2. H. 3. 24.

18 If the death of a man (where the Coroners office is to make view and Enquest) doth chance in any Countie where the Kings house is, and within the Werge, the Coroner of the same Countie shall be commaunded with the Coroner of the Kings house, to execute his Office, and to inroll it. And that thing that cannot be determined before the Steward, shall be remitted to the Common Law, so that Crigents, Outlawries, and Discontinuances, shall be thereupon made to the Justices in their circuits, by the Coroner of the Countie, as well as of other felonies done out of the Werge. 2. & Ed. 1. 3. But all Inquisitions upon the view of persons slaine within any of the Kings Palaces, or houses, or any other house, at such time as he shall be abiding in his copall person, shall be taken by the Coroner of the household of the King, or his heyres, without adoyning of any other Coroner of any Shire, by the oathes of twelve or more of the Peomen Officers of the Kings etc. household, returned by the two Clerkes Comptrollers, the Clerkes of the Checke, Clerkes Marshall, or one of them for the time being, of the foresaid household, to whom the said Coroner shall direct his Precept, which Coroner etc. shall be assigned by the Lord Steward for the time being. And the said Coroner shall from time to time for ever without delay, certifie vnder his Seale, and the Seals of such persons as shall be so sworn before him, all such Inquisitions, Indictments, and Offices, upon the view of all dead bodies which shall be slaine within any of the Kings Palaces, or houses, or other house aforesaid, before the sayd Lord Steward, and in his absence, before the Treasurer, Comptroller, and Steward of the Marshalsey, or before two of them, whereof the sayd Steward of the Marshalsey to be one, and such Inquisitions and Offices so certified, shall be taken as good to all intents, as any Inquisitions taken upon the view of the body of any person being dead, by any Coroner of any Countie of this Realme hath bene, or shall be avindged. 33. H. 8. 12. S. Fighting 1.

19 Two head Coroners for the bodie of the Shire of Cheshire shall be elected by vertue of the Kings writ de Coronatore eligendo, to be awarded out of the Exchequer of Chester, which Coroners shall be bound to sit with the Sherife at the

As for where any person is slaine by misadventure.

The Coroners for where any person is murdered.

The Sherife shall have counter rolls with the Coroner.

Who ought to appeare upon an Inquisition of a mans death.

Enquiry within the Werge.

Enquire within the Kings house.

Cofinage.

Cottages, Inmates.

the Shire Courts, to give iudgement vpon Outlawries, and to do all other things that appertaineth. 33. H. 8. 13.

1 What euery Coroner which shall be absent from the assessing of the wages of the Knights of the Shire, shall forfeit. S. Parliament 12.

2 What Coroners shall forfeit if they do conceale, or wil not arrest felons when they may. S. Felonie 1.

3 Where the Coroners shall impanell a Iurie, of what sufficiencie the Iurors shall be, what issues they shall retorne vpon them, and vpon what paine. S. Riots 7.

4 That there shall be two Coroners in euery of the xij. Shires in Wales: how they shall be chosen: Their office and duetie. S. Wales 52.

Cofinage.

In writs of Cofinage, Aiel, and Belsiel, the which be of the same nature that an Assise of Mortdauncester is, the same answer shall be allowed for the tenant, that the Justices did allow him at the Common Law in Assise of Mortdauncester, viz. that the plaintife is not next heire of the Auncestors, by whose death the land is demanded, and that shalbe inquired of by the Assise, and according to the Inquisition Iudgement shall be given. Westm. 2. 13. Ed. 1. 20.

Cottages, Inmates.

How new Cottages without four acres of land.

No person shall within this Realme of England, make, build, or erect, or cause to be made, builded, or erected, any manner of Cottage for habitation or dwelling, nor convert or obdaine any building or housling, made, or hereafter to be made, to be used as a Cottage for inhabitation or dwelling, unless the same person do assigne and lay to the same Cottage or building, four acres of ground at the least, to be accounted according to the Statute or ordinance de Terris mensurandis, being his or her owne freehold and inheritance, lying nere to the said Cottage, to be continually occupied and manured therewith, so long as the same Cottage shalbe inhabited, vpon paine that euery such offender shall forfeit to the Quene, her heires and successors 1. l. for euery such offence. 31. Eliz. 7.

Up holders of new Cottages.

2 Euery person which shall willingly uphold, maintaine, & continue any such Cottage hereafter to be erected, converted, or obdained for habitation or dwelling, whereunto four acres of ground, as is aforesaid, shall not be assigned and laid, to be used and occupied with the same, shall forfeit to the Quene, her heires and successors 1. l. s. for euery moneth that any such Cottage shall be by him or them upheld, maintained, and continued. 31. Eliz. 7.

Inmates.

3 There shal not be any Inmate, or more families or households than one, dwelling or inhabiting in any one Cottage, made, or to be made or erected, vpon paine that euery owner or occupier of any such Cottage, placing, or willingly suffering any such Inmate, or other familie than one, shal forfeit to the Lord of the Lcet within which such Cottage shal be, 1. l. s. for euery moneth that any such Inmate, or other familie than one, shall dwell or inhabit in any one Cottage as aforesaid. 31. Eliz. 7. S. Inst. of P. 101. Leets 15.

Cottages within corporate Townes.

4 Provided alwayes, that this Stat. or any thing therein contained, shall not be extended to any Cottage which shall be obdained or erected, to or for habitation or dwelling, in any City, Towne corporate, or auncient Borough, or Market town within this Realme, nor to any Cottages or buildings, which shall be erected, or obdained, or converted, to & for the necessarie & convenient habitations or dwelling of any

any workmen, or labourers, in any mineral works, coale mines, quarries, or belles of stone, or slate, or in or about the making of Brick, Tile, Lime, or Coales, within this Realme, so as the same Cottage or building be not above one mile distant from the place of the same mineral, or other works, & shall be used onely for the habitation & dwelling of the said workmen: nor shall in any sort prejudice, charge, or impeach any person or persons, for the erecting, maintaining, or continuing of any such Cottages, as are before in this Act also mentioned and specified. 31. Eliz. 7.

5 This Act shall not extend to any Cottage to be made within a mile of the sea, or upon the side of such part of any navigable river where the Admirall ought to have iurisdiction, so long as no person shall therein inhabit but a Sailor or man of manual occupation, to or for making, furnishing, or victualing of any Ship or vessel used to serve on the Sea, nor to any Cottage to be made in any forest, Chase, Warren, or Parke, so long as no other person shall therein inhabit, but an Underkeeper or Warrener, for the keeping of the Deer, or other game of Warren, nor to any Cottage heretofore made so long as no other person shall therein inhabit, but a common Herdsman, or Shepheard, for keeping the cattell or sheepe of a towne, or a poore, lame, sick, aged, or impotent person, nor to any Cottage to be made, which for any iust respect upon complaint to the Iustices of Assise, at the Assises, or to the Iustices of peace at the Quarter Sessions, shall by their order entered in open Assises, or Quarter Sessions, be decreed to continue for habitation, for & during so long time onely, as by such decree shall be tolerated and limited. 31. Eliz. 7.

Cottages
excepted.

Couerlets.

ND person dwelling within the Countie of York, or nigh unto the same, shall make any Couerlets, or Couerings, to put to sale, unless such person be inhabiting within the citie of York, or within the suburbs of the same, upon paine of forfeiture of the same, or the value thereof. 34. H. 8. 10.

Sale of Co-
uerlets in
Yorkshire.

2 No person of the Occupation of the handicrafts men of Couerlet makers, dwelling within the said Citie of York, or the suburbs of the same, or elsewhere within the said Countie, shall use the craft of hauking abroad in the Countie to Villages and mens houses, or goe as hawkers, or put to sale any Couerlets in any other place, out of the said Citie and Liberties thereof, but only in the open Markets and fairs, upon paine of forfeiture of the same Couerlets, or the value thereof. 34. H. 8. 10.

No Couerlet
maker in
Yorkshire
shall go hau-
king abroad.

3 The Wardens and Searchers of the Occupation of Couerlet makers within York, and their successors, shall have power to make search in all faires and Markets, from Trent southward within this Realme, for all such Couerlets as shall be put to sale not being full wrought, and made of sufficient stuffe, or not containing the Assise accustomed (viz. The best sort ought to containe in length three yards, and in breadth y. yards and a quarter at the least: The second sort should containe in length three yards, and in breadth y. yards: And the lowest or third sort should containe two yards and a halfe in length, and in breadth one yard and three quarters.) And to seile and take the same as forfeited. The one moiety of which forfeitures, if it be in any Citie, Borough, or Towne corporate, to be to the Mayor and Comminaltie, Bailie, Governour, or other Ruler and Comminaltie of euery such Citie, &c. authorized to haue the same by graunt or prescription, or otherwise lawfully: And the other halfe to such person or persons as shall seile or sue for the same by A. J. in any Court of Record, wherein no W. J. or dilatorie plea shall be allowed. And if the said sort happen to be found or taken, out of any the said Cities, Townes, or Boroughes, hauing no such authoritie. Then the one moiety of the forfeiture shall be to the King, and the other to such person and persons as will sue

Search for
couerlets not
well wrought,
or wanting as-
sise.
The assise of
Couerlets.

Couerlets.

due for the same in any of the Kings Courts in forms aforesaid. And when, and as often as the said Searchers, or Wardens of the occupation of Couerlet-makers of the said Citie of Poike, shall make search in any Liberties or Franchises within the said County, for any of the causes in this Act mentioned. Then and so often they shall require the head Officer of the said Liberties or Franchises, or his Deputie, to be aiding and assisting, and also to goe with them to make the said search: And if the said Officer, or his Deputie, upon request so made, refuse, or will not so doe, then upon such deniall and refusall, the same Searchers, or Wardens, shall make search themselves: Any thing in this Act etc. notwithstanding. Provided, that the Lords of the said Liberties and Franchises, where any such searches shall be made by authority of this Act, shall have such fines and forfeitures, as of right they ought to have by reason of any such searches, in as large maner as they ought to have had before the making of this Act. 34.H.8.10.

Couerlets for
certaine uses
excepted.

4 But it shall be lawfull to every person dwelling within the County of Poike, to make Couerlets of what assise or stuffe they will for their owne use, or store of their households, or for their Lords, to whom they be tenants. So that the same shall not be put to sale. 34.H.8.10.

Making of
Couerlets, &c.
within Poike
or Poike
&c.

Hats.
Felts.

Doznecks
weaving.

5 No person by himselfe, or by his servant, or apprentice, shall make or worke any felts, or thummed Hats, or weave or make any Couerlets or Doznecks, or occupie, use, or exercise the mysteries or Occupations of making of felts, or thummed hats, or weaving of Doznecks and Couerlets, or any of them, within the Citie of Poike, or within the Countie of Poike, vnlesse he or they that shall so make or worke any such felts or hats, or so occupie the occupation or mysterie of making of felts, or hats, as aforesaid, within the said Citie or Countie, be licenced and admitted so to do, by the Mayor, Recorder, Steward, and two Just. of the P. of the said Citie, or by foure of them, or that haue bene apprentice to the same occupation and mysterie of felts & hats making, by the space of seuen yeares: and in like case, vnlesse such person or persons that shall so make or weave Doznecks, or so occupie the occupation or mysterie of Doznecks weaving within the said Citie or Countie, be licenced or admitted so to doe, by the Mayor, Recorder, Steward, and two Just. of the P. of the said Citie, or by foure of them, or that haue bene apprentice to the said mysterie and occupation of Doznecks weaving, by the terme of seuen yeares: And vnlesse he or they that shall so make or weave Couerlets, or so occupie the art or mystere of Couerlets weaving or making, be licenced and admitted so to doe by the Mayor, Recorder, Steward, and two J. of the P. of the said City, or by iij. of them, or that haue bin apprentice to the occupation & mystere of Couerlets weaving or making, by the space or terme of seuen yerres. 5. & 6.Ed.6.24.

Couerlets, &c.
shall be woven
in a corporat
or market
Towne.

6 No person or persons shall make any felts or hats, or weave or make any Doznecks, or Couerlets, as aforesaid, or occupie, exercise, or use the occupation, arts, or mysteries of making of hats or felts, or weaving, or making of Doznecks or Couerlets, or any of them, as aforesaid, in any place out of the said Citie of Poike, within the said Countie of Poike, but onely in a corporat or market Towne, upon pain of forfeiting as well the felts, hats, doznecks, and couerlets, & euerie of them, which shall be made, wrought, or woven, contrarie to the tenor of this Act, or of any part or clause thereof, as also x.s. for euerie halfe dozen of the said felts or hats, and of iij. s. iij. d. for euerie Couerlet, & of vi. s. viij. d. for every six yards of Doznecks, so as is aforesaid, to be made, woven, or wrought, contrarie to this Act. The one halfe of which forfeitures to be to the King, his heires and successours: And the other halfe thereof to the person or persons that shall or will seise the same, or that will or shall sue for the same, or for any part thereof, in the Kings Courts of Guild hall, within the said Citie of Poike, or in any other of the Kings Courts of Record within this Realme of England, by A. of Detinue, Debt, or J. wherein no

C. vii. p.

C. M. P. o2 fozeine pla to the iurisdiction of the Court shall be allowed. 5. & 6. Ed. 6. 24.

7 **P**rouided alway, that all and enery such person o2 persons, as do now dwell, o2 hereafter shall dwell and exercise the misterie of Doznekes and Couerlets making, within the Towne o2 Parish of Pulham in the said Countie of Pozf. shall and may occupie and exercise the making of Doznekes, and Couerlets, within the said towne of Pulham, as they haue heretofore vled to do: Any thing et. notwithstanding. 5. & 6. Ed. 6. 24.

8 **I**f the Shaoz, Recorder, Steward, o2 Just. of the Peace of the said Citie, for the time being, o2 any of them, shall take any Summe of Poney, o2 reward, for admitting of any Person to occupie o2 vse any of the Artes o2 Mysteries afoze said: for euerie such time, and euerie such case, the person so offending, shall lose and fozeit five pounds to the R. and J. that will sue for the same, as is afozesaid. 5. & 6. Ed. 6. 24.

Officers taking money for admittance.

Counterfeit letters and tokens.

Whofoeuer shall falsly and deceitfully, get into his hands o2 possession any money, goods, cattels, icwels, o2 other things of any other persons, by colour and meanes of a prinie token, o2 counterfeit letter, made in any other mans name, and that be proued by confession, o2 examination of witnesse, taken befoze the L. Chaunceloz, o2 befoze the R. Councell in the Starre Chamber, the Just. of Assise in their circuits, the Just. of peace in their generall Sessions, the Iustices of any Citie o2 Towne corpozate, o2 by action in any of the R. Courts of record: shall haue such correction by imprisonment of his bodie, setting vpon the Pillorie, o2 otherwise by any corpozall paine (except death) as shall be vnto him adiudged, by the persons befoze whom he shall be consulted, and besides the partie grieved shall haue such remedy by Action, o2 otherwise, for the same money, goods, et. as he might haue had, if this Act had neuer been made. 33. H. 8. 1. S. Just. of Peace 54.

Coopers.

If any Cooper do sell any Barrells, Kilderkins, Firkinings, o2 other vessels, for Ale, Beere, o2 Hope, to be vttered therein, aboue such prices which shal be assessed by the J. of the peace of the Shire in their Sessions, o2 by the Shaoz, Bailife, o2 other head officer of the Citie, Bozough, o2 Towne corpozat, where the said vessels shall be made o2 suffered to be sold after proclamation thereof made, he shall fozeit for euery vessel sold at a greater price iij. s. iiij. d. to the R. and J. to be recovered by Action of debt, wherein no **M. 4. c. p. 4. c. 8. Eliz. 9. S. Justice of Peace 79. Corporations 12.**

Justices and head Officers may set prices of vessels.

2 **E**uery Cooper shal make his vessels for Beere and Ale, of good and seasonable wood, & shal make a Beere barrell to containe xxxvj. gallons, a kilderkin for Beere xviij. a firkin for beere ix. a barrell for Ale xxxij. a kilderkin for Ale xvij. a firkin for Ale viij. gallons of the R. Standard, o2 else he shal fozeit for euerie vessel so not made xij. d. to the R. and J. to be reconeted by A. J. et. wherein no **M. 4. c. p. 4. c. 8. Eliz. 9. S. Justice of Peace 79. Corporations 12.**

The contents of Ale and Beere vessels

3 **W**hofoeuer doth diminish any Barrell, Kilderkin, o2 Firkin, to the deceit of any other, by taking out the head, o2 any staffe from such vessel, shall fozeit iij. s. of vessels.

Marking of vessels.

Diminishing of vessels.

Coopers.

iiiij. 8. be punished at the discretion of the head Officer, before whom the default shall be presented, and the vessel shall be burned. 23. H. 8. 4.

Vessels
brought from
beyond the
Seas gauged

4 No Brewer shall sell, utter, or put to sale any Beere or Ale in any Bottes, Pipes, Puncheon, Hogheads, Tierces, or other such vessels brought from beyond the Seas, within the citie of London or Suburbs of the same, or in any other place or places, within two miles compasse without the same Suburbs, before the same shall be lawfully gauged, and the true content of euery such vessel set downe vpon the same, by the gallon appointed and allowed for Beere and Ale, according to the Standard, by the Master & Wardens of the misterie of freemen of the Copers of the Citie of London, or their deputie or deputies: No shall sell, utter, or put to sale any Beere, or Ale, in any such vessel, or vessels, in any other place or places within the Realme of England & Wales, before the same shall be lawfully gauged, & the true content of euery such vessel set downe vpon the same by the gallon aforesaid, according to the Standard, by such as by the Statute in that behalfe made (Ann. 23. H. 8. 4.) are to haue the gauging of barrels, kilderkins, & firkins, made for Beere or Ale to be put in, in such other place or places within the Realme of England and Wales, vpon paine to for: all & euery such vessel & vessels wherein any beere or ale shall be uttered, sold, or put to sale, contrary to the true meaning hercof. And also all the beere or ale which shall be at the time of such uttering, selling, or putting to sale therein contained, to him or them that will seise the same, & vpon paine also to for: for euery such vessel wherein beere or ale shall be so uttered, sold, or put to sale x. s. to the A. and B. to be recovered by A. B. wherein no C. P. W. J. 4c. 31. Eliz. 8.

See Corpora-
tions, 15.

what shall be
taken for the
gauging of
vessels.

5 Where shall be taken for the gauging of euery such vessel within the Citie of London and Suburbs of the same, & in euery place within two miles compasse without the same Suburbs, by the Master & Wardens of the misterie of freemen of the Copers of the Citie of London, for euery Butt j. b. for euery Pipe j. b. for euery Puncheon ob. for euery Hoghead ob. for euery Tierce ob. & for euery other vessel which shall at any time be brought into this Realme from any the parts beyond the Seas, wherein Beere or Ale shall be uttered, sold, or put to sale, within the Citie or Suburbs, or any other place or places within y. Miles compasse without the same Suburbs, after like rates, and no more. And there shall be taken for the gauging of euery such vessel or vessels in euery other place within the Realme of England and Wales, by such person and persons, as by the said Statute made (An. 23. H. 8. 4.) are appointed for gauging thereof, after such like rates as are herein before appointed to be taken for gauging within the City of London & Suburbs of the same, and in other places within two Miles compasse without the same Suburbs. 31. Eliz. 8.

Brewers
English and
Strangers.

Retaining of
the vessels un-
till & gauging
money be paid
The warden
of Copers
shall come to
the Brewers
house.

6 This act shall extend to euery person which shall vse or occupie the misterie of Brewing, as well English borne, as Strangers. And it shall be lawfull to euery person which shall haue authoritie by vertue of this Act to gauge any vessel or vessels by this Act, meant or intended to be gauged, to retaine euery vessel which shall be gauged according to the meaning of this Act, vntill the money which shall be due for the gauging thereof, shall be truly satisfied and paid. 31. Eliz. 8.

7 The Master and Wardens of Copers aforesaid, or their sufficient deputie or deputies, within the space of xviij. houres, next after any reasonable request to them, or any of them made, shall come to any Brewer or Brewers house, or other place in the said Citie of London, or Suburbs thereof, or two miles distance of the same, whereas their caskes shall be, and there with all reasonable expedition, shall gauge & marke the same caskes and euery of them, vpon paine for euery default to for: to the party, by or for whom such request as aforesaid shall be made, the summe of xx. s. to be had & recovered by the said party against the Copers aforesaid, by action of debt in any of her Ma. Courts of Record at Westminster, or else where, in which action no C. P. or W. J. shall be admitted or allowed. 31. Eliz. 8.

8 If any Scottish man, or any stranger, shal bring from Scotland, or from beyond the Seas to the said Brewers, or any of them, any manner of foreign caskes, and shall require to have Beere put in the same, and will transport the same Beere from hence, either into Scotland, or over the Seas there to be drunke, then in every such case it shall and may be lawfull to and for the said Brewers, or any of them, to fill all such caskes with beere, at such a rate and reckoning, as he & his merchant can agree, without having the said caskes, or any of them gauged or marked as is aforesaid, and without incurring any penalty thereto: this Act &c. notwithstanding. 31. Eliz. 8. 1. Jac. 25. This act to continue to the end of the first session of the next Parliament.

1 No Ale or Beere Brewer shall occupie the mystery of Coopers. S. Brewers 1.

Beere filled
with Beere
drunged.

Countie, or Shire Court.

No Countie Court shall be longer deferred, but from one Moneth to an other, and the said Court shall be kept every Moneth, and none otherwise. Magna Char. 9. H. 3. 35. 2. Ed. 6. 25. And in like sort shall the Countie Courts in the shires in Wales, and in the Countie of Pembrokeshire, be kept. 34. H. 8.

Countie
courts shalbe
kept moneth-
ly.

2 The Shire of the Countie of Northumberland shal keepe the Countie court of that Shire in the towne or castle of Alnwick, & in none other place. 2. Ed. 6. 25. The Shire Court for the Shire of Sussex, shall be kept one time at Chichester, and an other time at Lewes, alternis vicibus for ever. And if any Shire Court be holden to the contrary, all things therein done shall be void. 19. H. 7. 25. The Shire of the Countie of Chester is bound to keepe his Shire Court in the Shire hall of the said Countie. 33. H. 8. 13. And the Shires Shire Courts in Wales of the Countie of Brecknock, shall be holden at Brecknock, of Radnor, at new Radnor, and of Hereford, of Hereford, of Montgomery, at Montgomery and of Pakenham, of Denbigh, at Denbigh, of Flint, at Flint, of Pembrokeshire, at Pembrokeshire and of Glamorgan, at Glamorgan alternis vicibus. Añ 27. H. 8. 26.

In what
townes the
Shire Courts
of severall
Shires shall
be kept.

Wales.

1 Within what times Shires in Wales shall keepe their Countie Courts and Hundreds, and what fees they shall take therein. S. Wales 41.

Courts.

All and every suit and suits, which hereafter shall be had, made, or taken, of, or upon any debt, or duties, which heretofore hath growne or been due, or that hereafter shall grow or be due to the King in the severall offices & Courts of his Exchequer, Duchie of Lancaster, Passor of the Wardes and Liveries, or in any of them, or by reason or authoritie of any of them, shall be severally sued in such one of the said Courts, & offices, in the which Court and office, or by any occasion of the which Court and office, the same debt or duty did first grow or become due, or hereafter shall grow or become due, or in the which office or Court the Recognizance, obligation, or specialties, is, or shall be or remaine: & every such severall suit & suits, shall be made in every of the said severall offices and courts under the severall Seales of the said severall courts, by Capias, Extendi facias, Subpena, Attachment, & proclamation of allegiance if need shall require, or any of them, or otherwise, as unto the said severall Courts shall be thought, by their discretions, expedient for the speedy recovery of the R. debts. And the said Court of Exchequer, & all and every of the said Courts, shall have whole & full authoritie, & power, to heare & determine all & every such suit & suits, as shall be taken, commenced & pursued for the intent above specified, & thereupon to award, make & do execution, by & upon the bodie, lands, and goods, of the partie or parties that so shall be condemned accordingly: And also shall have full power & authoritie to heare & determine all & all manner of debts, detinues, trespasses, Duchies,

Shire for the
R. debts shall
be in the
courts where
they shalbe due

The authori-
ty of the
Courts of
Exchequer,
wards, and
trespass, Duchies,

Courts.

trespasses, accompts, reckonings, wasset, disceipts, negligences, defaults, contempts, complaints, riots, quarrels, suites, strifes, controuersies, forfeitures, offences, & other things whatsoeuer they shall be, which hereafter shall grow, be made, stirred, procured, or arise, in, for, or upon any matter, cause, or other thing, assigned, committed, or appointed, or hereafter to be assigned, committed, or appointed to the seuerall directions, orders, & gouernances of the same Courts, or any of them, or, for, or upon any maner of thing or things, which may or shall touch, or in any wise concerne the same, wherein the King shall be onely party: And also all maner of estates for terme of yeares betwene party and partie, concerning the premises, and to correct and punish by their discretions, all and euery person and persons, which befoze them shall be convicted of any of the premises, according to the nature, qualitie, and quantitie, of his or their offence or offences, cause, or causes, matter, or matters (all and all maner of Treasons, Murders, Felonies, estates, rights, titles, and interests, as well of inheritances as of freehold, other then Jointures for terme of life, onely excepted, and alwaies reserved.) 33.H.8.39.

Emerging of offenders.

2 Euery of the said Courts shall haue full power and Authozitie, to set such fines, penalties, and amerciaments vpon parties, Sherifes, Officers, and other persons, for his and their defaults, contempts, negligences, or misdemeanors, as vnto the said courts or vnto any of them, shal be reasonably considered and thought expedient. And all and euery trial and trials of all and all maner of Suits, Bills, plaints, informations, declarations, complaints, answers, replications, allegations, causes, matters, and issues, or any of them, to be pursued, made or tried in the said seuerall Courts, or any of them, shall be made and tried by due examination of witnesse, writings, proofes, or by such other waies or meanes, as by the said seuerall Courts, or by any of then, shall be thought expedient: And all and euery such iudgement & iudgements, decree or decrees, examination and examinations, shall be good, perfect, and in full strength, force, and effect in the law to all intents and purposes. 33.H.8.39.

Trial.

Discharging of recognisances.

3 The same seuerall head officers, for the time being, in euery of their said seuerall Courts, shall haue full power & authozity, to discharge, cancell, & make void, by his or their discretion, all & singular recognisances made in the said Court, for any apparance, or other contempt: And the same head officer or officers, and the parties so bounden and to be bounden, to be discharged against the King, his heires, executors, and successors, for the cancellation of the same recognisance. 33.H.8.39.

The Court of Starre Chamber.

4 The Chancelor and Treasorer of England for the time being (and the President of the King's council, & the keeper of the King's privy seal, or two of them: 1.H.8.20.) calling to them a Bishop, & a tempozall Lord of the King's most honorable council, & the two chiefe Iustices of the King's Bench and common place, for the time being, or other two Iustices in their absence, vpon W. or J. put to the said Chauncelloz for the King, or any other, against any person, for any misbehauing, by vnlawfull maintenances, giuing of lineries, signes, and tokens, retainders by indentures, othes, writings, or otherwise, imbracerie of the King's subjects, vntue demeanings of Sherifes in making of panels, and other vntue returns by taking of money, by iniuries, by great riots & vnlawfull assemblies, haue authozitie to call befoze them by writ, or by privie seale the said misdoers, & they, and other by their discretion, by whom the truth may be knowne, to examine, and such as they find therein defective to punish them after their demerits, after the forme and effect of statutes thereof made in like maner and forme as they should and ought to be punished, if they were thereof convicted, after the due order of the law. 3.H.7.1.

Common Pleas.

5 Common Pleas shall not follow our Court, but be holden in a place certaine. Mag. Char. 9.H.3.11. No common plea shall be holden in the Exchequer. Artic. super

super Chartas 28.E.1.4.

6 The writ that is called (Præcipe in capite) shalbe granted to no man of any frehold, whereby any free man may lose his Court. Mag. Char. 9.H.3.11. Præcipe in capite.

Crowne, King, Queene.

The Law of this Realme is, and ever hath been, and ought to be understood, that the Kingly or Regall office of this Realme, and all dignities, prerogatives, royall power, preheminences, privileges, authorities, and iurisdicions thereunto annexed or belonging, being inuested, either in male or female, are, and be, & ought to be, as fully and intirely accepted, inuested, and taken in the one as in the other, so that what, or whensoever statute or law doth appoint, that the K. of this realm may or shall have, execute, and do any thing as King, or doth give any commodity to the K. or doth appoint any punishment for the correction of offenders against the Regality and dignity of the K. or of the crowne, the same the Q. (being supream governess, possessor, and inheritor) to the Imperial Crowne of this realm, as our Soveraigne Lady the Q. u. most iustly presently is) may by the same authority likewise have, exercise, execute, correct, and doe, to all intents, without doubt or question. 1. M.2. Parl. 1.

2 No foraine Prince, Person, Prelate, State, or Potentate, spiritual or temporal, shall use, enjoy, or exercise, any manner of power, iurisdiction, superiority, authority, preheminence, or privilege spiritual or Ecclesiastical, within this realm, or within any other the Quenes dominions that now be, or hereafter shall be, but the same shall be clerely abolished out of all her Dominions for ever. 1. Eliz. 1.

3 Such Iurisdicions, privileges, superiorities, and preheminences, spiritual, as by any spirituall power hath heretofore been, or may lawfully be used for the visitation of the Ecclesiastical state and persons, and for reformation, order, and correction of the same, and of all manner errors, heresies, schismes, abuses, offences, contempts, and enormities, shall for ever be united to the Imperial Crowne of this Realme. And the Quene, her heires and successors Kings and Quenes of this Realme, shall have full power by letters patens, under the great seale of England, to name and authorize, when, as often, and for so long time, as her Highnesse, her heires or successors, shall thinke meet, such person or persons (being naturally bozne subjects to her Grace, her heires and successors) as she or they shall thinke meet, to occupie and execute under her etc. all manner iurisdicions, privileges, and preheminences, in any wise concerning any spirituall iurisdiction, within England, and Ireland, or any other the Quenes dominions, and to visit, reforme, order, correct, and amend, all such errors, heresies, schismes, abuses, offences, contempts, and enormities, which by any Ecclesiastical power, may lawfully be ordered, corrected, or amended, to the pleasure of God, the increase of vertue, and the conservation of the peace, and unitie of this Realme. And such person or persons so authorized by the Quene etc. after the said letters patents to him or them delivered, shall have authority by vertue of this act, and of the said letters patents under the Quenes etc. to use and execute all the premises, according to the tenor and effect of the said Letters patents, etc. Provided alwaies, that such person or persons to whom the Q. u. her heires or successors, shall by Letters patents under the great Seale of England, give authority to have or execute any iurisdiction, power, or authority spiritual, or to visit, reforme, order, or correct, any errors, heresies, schismes, abuses, or enormities, by vertue of this act, shall not in any wise have authority, or power, to order, determine, or abide any matter or cause to be heresy, but only such as heretofore have been determined, ordered, or abided to be heresy, by the authority of the Canoniall Scripture, or by the four first generall Councils, or any of

The Q. en-
tereth all re-
gall power as
King.

All foraine
power abo-
lished.

Ecclesiastical
Iurisdicions
annexed to the
Crowne.

Commis-
sioners in case
of Religion.

What may be
abided her-
resie.

Crowne, King, Queene.

What may not
be adiudged
heresie.

them, or by any other generall counsell, wherein the same was declared heresie by the expresse and plaine wordes of the said Canonickall Scriptures, or such as hereafter shall be ordered, adiudged, or determined to be heresie, by the High Court of Parliament of this Realme, with the assent of the Clergie in their Conuocation: Any thing to the contrary notwithstanding. Provided also that no manner of order, act, or determination, for any matter of religion, or cause Ecclesiasticall, had or made by the authority of this Parliament, shall be accepted, deemed, interpreted, or adiudged, at any time hereafter, to be any error, heresie, schisme, or schismaticall opinion, any order, decree, sentence, constitution, or law, whatsoever the same be, to the contrary notwithstanding. 1. Eliz. 1.

The Oath.

4 Every person hereafter particularly named, shall make, take, and receive a corporal oath upon the Evangelists, according to the tenor and effect following, before such persons, at such places, and in such times as be hereafter specified.

I A. B. doe utterly testifie, and declare in my conscience, that the Quenes Highnesse is the onely supreme Gouvernour of this Realme, and of all other her Highnesse Dominions and Countries, as well in all spirituall, or Ecclesiasticall things or causes, as Temporall. And that no foraine Prince, Person, Prelate, State, or Potentate, hath, or ought to have any iurisdiction, power, superiority, preheminance, or authority, Ecclesiasticall or spirituall within this Realme: and therefore I doe utterly renounce and forsake all foraine Iurisdicions, Powers, Superiorities, and Authorities, and do promise, that from henceforth I shall beare faith and true allegiance to the Quenes Highnesse, her heires, and lawfull successors, and to my power shall assist and defend all Iurisdicions, Priviledges, Preheminerces, and Authorities, graunted or belonging to the Quenes Highnesse, her heires, and successors, or bristed and annexed to the Imperiall Crowne of this Realm, so helpe me God, and by the contents of this booke. 1. Eliz. 1.

These persons
shall take the
Oath.

5 All and every Archbishop, Bishop, and every other Ecclesiasticall person, and Ecclesiasticall Officer or Minister, and every Judge, Justice, Payor, and other lay or temporall Officer, and every other person having the Quenes lie, or wages, within any her Dominions, shall receive the same Oath before such person or persons, as it shall please the Qu. or under the great Seale of England, to assigne to take the same. And every person that at any time shall be preferred or to any Archbishopricke, or Bishopricke, or to any other Ecclesiasticall Benefice, Promotion, Dignitie, Office, or Ministerie, or that shall be by the Quene preferred to any Temporall or lay Office or Ministerie or Service, within any her Dominions, before he shall take upon him to receive, vse, exercise, supply, or occupie any such Archbishopricke, Bishopricke, Promotion, Dignitie, Office, or Ministerie, shall receive the same Oath before such persons as shall have authority to admit any such person to any such Office or Service, or else before such person or persons as by the Qu. or under the great Seale shall be assigned to minister the said Oath: And every person Temporall, being Liuerie, or Ouster le maine, out of the hands of the Qu. or before his Liuerie or Ouster le maine sued forth and allowed: And every temporall person doing any homage to the Qu. or that shall be received into service with her or she, shall take the foresaid corporal Oath, before the Lord Chancellor, or Lord Treasurer or before such person or persons as by the Qu. or she shall be appointed to receive the same. And every person taking orders, and every other person which shall be preferred to any degree of Learning, in any Uniuersitie within this Realme, or Dominions, before he shall receive such orders, or be preferred to such degree of Learning, shall take the foresaid Oath before his Ordinarie, Commissarie, Chauncello, or Vice-Chauncello, or their sufficient Deputie in the said Uniuersitie. 1. Eliz. 1. And all other persons which haue taken, or shall take orders, commonly called Ordines sacros, or Ecclesiasticall Orders, haue been, or shall be preferred, or admitted to any degree of Learning, in any Uniuers-

Universitie within this Realme, or Dominions to the same belonging. And all Scholemasters, publike and private teachers of children, as also, all persons that have taken or shall take any degree of Learning, in, or at the common lawes of this Realme, as well utter Barresters, as Benchers, Readers, Auncients in any House or Houses of Court, and all principall Treasurers, and such as be of the Graund Companie in everie Inns of Chauncerie. And all Atturueies, Prothonotaries, and Whilayers, towards the Lawes of this Realme, and all maner of Schirifes, Echeatores, and Feodaries, and all other person and persons, which have taken, or shall take upon him, or them, or have bene, or shall be admitted to any Ministerie, or Office, in, at or belonging to the Common Law, or any other Law, or Lawes, or to or for the execution of them, or any of them, used, or allowed, or at any time hereafter to be used or allowed within this Realme, or any other the Dominions or Countries belonging, or which hereafter shall happen to belong to the Crowne or Dignities of the same. And all other Officers and Ministers of, or towards any Court whatsoever, and every of them shall take and pronounce a Copposall oath upon the Evangelists, before he or they shall be admitted, allowed, or suffered to take upon him, or them, to use or occupie any such Vocation, Office, Degree, Ministerie, Rowne, or Service, as is aforesaid, and that in the open Court, wherunto he doth or shall serue, or belong. And if he doe not, nor shall not serue nor belong to any open Court, then he shall take the Oath aforesaid in an open place, before a convenient assemblie, to witnesse the same, and before such person or persons, as have authoritie by common use, or otherwise, to admit or call any such person to any such vocation, rowne, or service, or else to fore such, as by the Quenes Commission, under the Great Seale shall be assigned to accept the same, according to the Tenor, Effect, and forme of the same Oath, Verbatim. Every person which shall be elected or appointed a Knight, Citizen, or Burgesse, or Baron, for any of the five Ports for any Parliament, shall before he shall enter into the Parliament house, or have any voice there, openly receive and pronounce the said Oath before the Lord Steward, or his Deputie or Deputies appointed. And he which shall enter into the Parliament house without taking the said Oath, shall be deemed no Knight, Citizen, Burgesse, nor Baron for the Parliament, nor shall have any voice, but shall be to all intents, as if he had never bene returned, nor elected Knight, Citizen, Burgesse, or Baron for the Parliament, and shall suffer such paines and penalties, as if he had presumed to sit in the same, without Election, Returne, or Authoritie. And every Archbishop and Bishop have power to tender the Oath aforesaid to every or any spiritual person within his proper Dioces, aswell in Jurisdiction &c. exempt, as else where. 5. Eliz. 1.

To whom
Bishops may
tender the oth.

6 If any person appointed, or compellable by either of the Acts made Anno 1. Eliz. & 5. Eliz. to take the said Oath, or any person to whom the said Oath shall be tendered by others, having thersunto authoritie by Commission directed unto them by the Lord Chaunceloz, &c. or Lord Keeper, under the great Seale of England (which without further warrant hath authoritie to direct such Commission) shall at the time of the said Oath so tendered, refuse to take or pronounce the same in manner and forme aforesaid, then the partie so refusing, and being thereof lawfully indicted, or presented, within one yere next after any such refusall, or convicted, or attainted at any time after, according to the Law, shall suffer and incurre the paines, penalties, and forfeitures, provided by the Statute of Provision and Præmunire, made 16. R. 2. 5. Eliz. 1.

The punish-
ment of the
refusall of the
Oath.

7 And every such person and persons, having authoritie to tender the Oath aforesaid, shall within 40. dayes next after such refusall of the said Oath, if the Terms be then open: and if not, then at the first day of the full Terme next following

Certificat of
the refusall in
the Kings
Bench.

Crowne, King, Queene.

following the said 40. daies, make true Certificat vnder his or their seale or scales, of the name, or names, places, and degrees, of the person, or persons, so refusing the same Oath, in the Kings Bench, vpon paine that euery of the said persons hauing such authoritie, making default of such Certificat, shall for euery such default forfeit 100. li. to the Du. &c. And the Shireffe of the Countie where the Kings Bench shall be holden, shall, or may empanell a Iurie of the same Countie, to inquire of euery such refusal: which Iury shall and may vpon euery such Certificat and other euidence to them giuen, indite the offendor, in such sort as they may doe of any offence committed against the M. peace, within the same Countie &c. 5. Eliz. 1.

The second
refusal of
the Oath.

8 If any of the persons appointed by this Act to take the Oath aforesaid, do after the space of 3. Moneths next after the first tender thereof, the second time refuse to take and pronounce, or doe not take or pronounce the same, in forme aforesaid to be tendered: then euery such offendor, for the same second offence, shall forfeit and suffer such like, and the same paines, forfeitures, iudgements, and executions, as is vsed in cases of High Treason. But this Act &c. or any attainder to be had by force thereof, shall not extend to make any corruption of blood, the disinheriting of any heire, forfeiture of dowry, nor to the prejudice of the right or title of any person other then of the offendor, during his naturall life onely. And if shall and may be lawfull to euerie person and persons, to whom the right or interest of any Lands, tenements, or hereditaments, after the death of any such offendor, should or might haue appertained, if no such attainder had bene, to enter into the same, without any Outter le maine to be sued, in such sort as he or they might haue done, if this Act had neuer bene made. 5. Eliz. 1.

Barons.

9 This Act shall not extend to compell any Tempozall person, of, or about the degree of a Baron of this Realme, to take or pronounce the Oath aforesaid, nor to incurre any Penaltie limited by this Act, for not taking or refusing the same. 5. Eliz. 1.

Who shall take
the Oath vpon
the second ten-
der.

10 No Person shall be compelled by vertue of this Act to take the Oath about mentioned, at the second time of offering the same, according to the forme appointed by the Statute, except he hath bene, is, or shall be an Ecclesiasticall person, that had, hath, or shall haue in the time of one of the Raignes of the Quenes Father, brother, or sister, or in the time of the raigne of the Quene, her heires, or successors, charge, cure, or office in the Church, or such persons, as had, hath, or hereafter shall haue any Office or Ministerie in any Ecclesiasticall Court of this Realme, vnder any Archbishop, or Bishop, in any the times or raignes aforesaid, or such as shall wilfully refuse to obserue the orders for diuine seruice, that be authorized to be vsed and obserued in the Church of England, after that he shall be publickly by the Moderator, or some of his Officers for Ecclesiasticall causes, admonished to keepe and obserue the same, or such as shall openly & aduisedly depaue by words, writings, or any other open fact, any of the Rites and Ceremonies, at any time vsed, and authorized to be vsed in the Church of England, or that shall say or heare the priuat passe prohibited by the Lawes of this Realme. And all such persons shall be compellable to take the oath vpon the second tender of the same, and incurre the penalties for not taking of the said oath, and none other. An. 5. Eliz. 1.

The exposition
of the oath.

11 The Oath expressed in the said Act made 1. Eliz. shall be taken and expounded in such forme, as is set forth in an admonition annexed to the M. Injunctions, published An. 1. of her Raigne, viz. to confesse and acknowledge in her, her heires, and successors, none other authoritie then that, which was challenged and lately vsed by King H. 8. and King Ed. 6. 5. Eliz. 1.

What they shall
be bound vnto
who shall be natu-
ralized, or res-
tozed in blood

12 No person or persons of what qualitie, condition, or place soener, being of the age of eightene yerres or aboue, shall be naturalized, or restozed in blood, vnlesse the same person or persons haue receiued the Sacrament of the A. & D. Supper with.

within one moneth next before any bill exhibited for that purpose. And also shall take the Oath of Supremacie and Allegiance in the Parliament house before his or her Bill be twice read. And for the better effecting of the premises, the Lord Chancellor of England, or Lord Keeper of the great Seale for the time being, if the Bill begin in the Upper House, and the Speaker of the Commons House of Parliament for the time being, if the Bill begin there, shall have Authority at all times during the Session of Parliament to assigne such Oath and Oaths, and to such Person and Persons, as by the true intent of this Statute is to be ministered. This Act to take place from and after the end of this present Session of Parliament. 7. Jacob. 2.

13 All feoffments, Giftes, Grants, Demises, Presentments, Nominations, and all other writings, whereof sealing is requisite to be made, of any parcell of the Earldome of March, shall be had, done, and made by the R. under the Great Seale of his Chancery, as it is used in all other writings concerning the Crowne, by the course of the Common Law, and by none other Seale. 4. H. 7. 14.

1 Seuerall Assurances, Limitations, and Recognitions of the title to the Crown of England &c. An. 7. H. 4. 2. Anno 25. H. 8. 22. An. 28. H. 8. 7. An. 35. H. 8. 1. An. 1. Eliz. 3. Anno 1. Jac. 1.

2 For the Prerogatives and Preheminences of the Crowne, King, and Queene, S. Prerogative 1. &c.

3 For all Bonds made to the King, and how he shall be answered all his Debts, Duties, Accounts &c. S. Accomprants &c. 1. &c.

4 The Commissioners of Sewers Decree shall bind the Kings lands. See Sewers 8.

5 The force of a fine leuied by tenant in taile, whereof the Reuerfion or Remainder is in the King. S. Fines 17.

6 The force of a Recouery of lands intailed, whereof the Reuerfion or Remainder is in the King. S. Recouerie 2.

7 No costes shall be recouered in a suit pursued to the Kings vse, though the verdict passe against the plaintife. S. Damages 9.

8 The Kings Children borne beyond the seas, are inheritable in England. S. A. bilicie 1.

9 The validitie of writings made in the name of the raigue of any other then the lawfull Queene. S. 1. M. 4.

10 Who shall have the Jewels of the Crowne. S. 1. H. 6. 5.

11 Accusing the Queene. S. 33. H. 8. 21.

12 There shall be no forfeiture of life, lands, goods, &c. for doing true service to the King. S. Forfeiture 4.

Custos Rotulorum.

The Chancelloꝝ of England, or Lord Keeper of the Great Seale for the time being shall from time to time, without any Bill to be assigned with the Kings hand, name and appoint such person to be Custos Rotulorum, within euery Shire of this Realme of England, Wales, and other the Kings Dominions, Parches, and Territories of the same, as by the discretion of the Lord etc. shall be thought mete to haue and exercise the same. And the said person so appoynted, shall and may exercise and enjoy the same Office of Custos Rotulorum by himselfe, or by his sufficient Deputie or Deputies. 3. Ed. 6. 1.

2 But the Bishops of Poꝝke, of Durham, of Ely, and euery of their successors, the Chancelloꝝ of the Duchie of Lancaster for the time being, and euery person, corporation, and body corporate, which haue authoritie, by lawfull meanes, to appoint the Custos Rotulorum.

Earldome of March.

The Lord Chancelloꝝ shall appoint the Custos Rotulorum.

These may appoint the Custos Rotulorum.

Customes, Subsidies, Customers, &c.

daine any of the said Offices of Custos Rotulorum within any place, shal and may enjoy the same authoritie, according as they haue had the same, this act &c. notwithstanding. 3. Ed. 6. 1.

Customes, Subsidies, Customers, Controllers
and Searchers.

A Subsidie
of Tonnage
granted to the
King.

Poundage.

Tinnes and
Peewter
Exceptions.

Wool.
Wool-felles,
Hides and
Buckles.
Merchants
strangers.

The penaltie,
if the custome
be not paid.

A remealie
where goods
customed shall
be taken or
perished.

ANNO 1. Iacob. 33. there was graunted to the King during his life a Subsidie of Tonnage, that is to say, Of euery Tonne of Wyne that is or shall come into this Realme, or any of the Kings Dominions, by way of Merchandise, the summe of thre shillings, and so after that rate: And of euery Tonne of Swete Wines, as wel of Alsinesey, as other, that is, or shall come into this Realme by any Merchant alien iij. s. and so after that rate, ouer and aboue the thre shillings aboue mentioned: And of euery Tonne of Rhenish Wyne, that is or shall so come in, xij. d. And also one other Subsidie called Poundage, that is to saie, of all maner of Goods and Merchandise of euery Merchant Denizen, and Alien, carried, or to be carried out of this Realme, or any of the Kings dominions, or to be brought in to the same by way of Merchandise, of the value of euery Twentie shillings of the same Goods and Merchandises xij. d. and so after the rate: And of euery xx. s. value of Tinnes and Peewter Wessell carried out of this Realme, by euery, or any Merchant Alien xij. d. ouer and aboue the xij. d. aforesaid. (Except out of this graunt of Subsidie of Poundage, all maner of Wollen Cloth made or wrought, or which shall be made or wrought within this Realme of England, and by euery, or any Merchant denizen, and not bozne alien, carried or to be carried out of this Realme. And all maner of Wools, Wool-felles, Hides, and buckes of Leather, that is or shall be carried forth of this Realme: and all Wines not before limited to pay Subsidie, or Tonnage: and all maner of fresh fish and Bestiall coming, or that shall come into this Realme.) And further, one other Subsidie, that is to say, of euery Merchant bozne denizen, of, and for euery sacke of Wool iij. s. iij. d. And of and for euery 240. Wool-felles, xxiij. s. iij. d. And of and for euery last of Hides and Buckes iij. l. viij. s. viij. d. And so after the same rate, for euery lesse or greater quantitie, for any the same Merchandise, moze or lesse: and of euery Merchant stranger, not bozne denizen, of, and for euery sacke of Wool iij. l. viij. s. viij. d. And of and for euery 40. Wool-fells iij. l. viij. s. viij. d. And for euery last of Hides and Buckes iij. l. xij. s. iij. d. And so of all the said Wools, Wool-felles, Hides, and Buckes, and euery of them, after the rate.

2 If any Wines, Goods, or other Merchandise, whereof any the Subsidies aforesaid are or shall be due, shall at any time be shipped, or put into any Boat or other vessell, to the intent to be carried into the parts beyond the Seas, or else be brought from the parts beyond the Seas into any Port of this Realme, or other the Kings dominions, by way of merchandise, and unshipped to be laded on land, the Subsidie, Custome, and other duties, due, or to be paid for the same, not paid or lawfully tendered, or the Collector thereof, or his Deputie, with the consent and agreement of the Controller, or Suruey or there, or one of them at the least not agreed with for the same in the Custome-house, according to the true meaning of this Act: then all the said Wine, Goods, and Merchandise whatsoever, shall be forfeit to the Kings highnesse: the one moitie of the rate thereof to the B. and the other moitie to him or them that will seize the same, or sue for the same. 1. Iac. 33.

3 If any Goods or Merchandise, as aforesaid of any merchant, being bozne denizen, hath bene, or (during the time of this Graunt) shall be taken by any enemies or Pirats upon the Sea, or perished in any Ship, or Shippe, that shall happen to be taken, or perished, within the time of the said Graunt, whereof the Subsidies,
and

and other duties aforesaid, are, or shall be duly paid, or agreed for, as aforesaid, and that duly proved before the Treasurer of England, or chiefe Baron of the Exchequer, for the time being, by the examination of the same merchants, if they be alive, or of their Executors or Administrators, if they be dead, or by two credible witnesses at the least sworn, or other reasonable witnesses & sworn: the same merchant, or merchants, his, or their Executors, or Administrators, shall or may newly ship in the same port, where the goods or merchandize aforesaid were or shall be customed, so much other merchandize or goods, as the same goods and merchandize that are or shall be lost, as aforesaid, shall amount unto in custome, without paying any thing for the same, so as the same prove be recorded & allowed of in the Court of Exchequer, and certified unto the Collectors of the custome of the Port, where the same wares and merchandizes are to be newly shipped without Custome, as aforesaid. 1. Jac. 33.

4 Every Merchant denizen that shall ship any wooll, wooll-fells, Hides, or other Goods or Merchandize in any Carricke or Galley, shall pay to the King all manner of Customes, and all the Subsidies aforesaid, as any Alien bozne out of this Realme. But it shall be lawfull to all and euerie of the Kings Subjects at his and their pleasure to carrie and transport out of this Realme, in the Ships or other vessels of any of the Subjects aforesaid, all and euery kind of Herrings or other sea-fish, to be taken vpon the Seas, by any the Subjects aforesaid, from or out of any Port or Harbrough of this Realme, to any place out of the Kings Dominions, without paying any Custome, Subsidie, or Poundage Money from the same &c. 1. Jac. 33.

Shipping in Carrickes or Gallies.

Transporting of Sea-fish.

5 Like Custome and Subsidie shall be paid for such sweete wines which come through the Straites of Harrocke, otherwise Pallegay, being brought from the same place where the Palmesey is, and of the same nature of Grape, as is and hath bin accustomed to be paid for Palmeseyes. 1. Eliz. 11.

Custome of sweet wines.

6 The Quene, her Heires, and Successors, shall receive by the Customers and Officers of her Ports, for the Custome of Poundage of euery Quarter of Wheate to be transported (by force of the Statute made 13. El.) 11. d. and of euery Quarter of any other Graine, viij. d. And of euery Quarter of Wheate that shall be by any speciall licence transported (and not by force of the said Statute) 4. s. and of euery Quarter of other Graine sixtene pence notwithstanding any wordes that shall be contained in any licence to the contrarie: which said seuerall summes so taken, as Custome or Poundage, shall be in full satisfaction of all manner of Custome or Poundage for the said Cozne and Graine, by any Constitution, Order, Statute, Law, or Custome heretofore made, used, or taken for transporting of any such manner of Cozne or Graine. 13. Elizabeth 13. See Corne 7. And the the Quene, her Heires, and Successors shall haue and receive by the Customers and Officers of her Ports, for the Custome or Poundage of euery Quarter of Wheate, to be transported by force of the Statute, made Anno 35. of her raigne, two shillings, and of euery quarter of any other Graine, sixtene pence. Which said seuerall summes so to be had or taken as custome or poundage, to be in full satisfaction of all manner of Custome or Poundage for the said Cozne or Graine, by any Constitution, Order, Statute, Law, or Custome heretofore made, used, or taken, for transporting of any such manner of Cozne and Graine. Provided alwayes, that this Act, or any thing therein contained, shall not be prejudiciall or hurtfull to any former Letters Patents or Licence graunted by her Maiestie to any person or persons, bodies politicke, or corporate, for the transporting of any Cozne or Graine, either at any lesser Customes, or Subsidies, than is contained in this present Act, or without any custome, or Subsidie, but they and euery of them, their Deputies and Assignes, shall and may transport Graine hereafter for the time

The custome of Cozne transported.

Customes, Subsidies, Customers, &c.

time in their severall Letters Patents specified, either at such prices and rates, or without custome or Subsidie, in such maner and soyme, as in the said Letters Patents is contained, according to the forme and Effect of the same Letters Patents, and in such maner and soyme, and not otherwise, to all ententes and purposes, as if this present act had neuer been had, or made. 35. Elizab. 7. See Corne 6.

**Sea-fish transported with-
out custome.** 7 Every Subject of the Quenes, that shall transport in any Shippe, or other Vessels, of any of the Quenes subiects with crosse sailes, any Herring, or other Sea fish, taken vpon the Seas by any of the sayd Subjects, out of any Port or harbor, oug of this Realme, shall be free from payment of any Custome, Subsidie, or Poundage money for the same fish. 5. Eliz. 5. 1. Iacob 25. to continue vntill the end of the first Session of the next Parliament. S. Ships 1.

**The Subsi-
dy of Leather,
Calueskins,
and Tallow.** 8 Every person that shall ship, or carrie any Leather, Tallow, or raw Hides, beyond the Sea, shal paie to the Quene, her Heires, and Successors, for every hide so carried, by the name of a Subsidie, tenne Shillings: for every dozen of Calues skinnes iij. s. iij. pence. And for every 100. pound wright of Tallow, six Shillings eight pence. And all Customers, Controllers, Farmors, and Superuisors of Customes and Subsidie shalbe accomptant to the Quene &c. to paie the said Custome and Subsidie for all such goods entred and laden, vpon paine to forfeit the treble value, and to make fine and ranfome. 18. El. 8. 3. H. 6. 3. S. Leather 30.

**Transporting
of Leather.** 9 If any Leather wrought, cut, or unwrought, to the intent to be sold or bartered, shall be unlawfully transported or purposed to be transported beynd the sea out of any port, haven, or cricke of this Realme, or Wales, every Controulor, Customer, Suruey, Collector of Tonnage and Poundage, & Searcher, and the deputie of any of them, or any other person hearing or knowing of any leather meant to be transported from any Place within his Office, and doe not his best endeauor to seize the same, or being transported, doe not disclose or cause to be disclosed the same, within 40. daies next after knowledge or hearing of the same in some Court of Record, so as the offendor may be punished according to the Law, he shall for the first offence forfeit a 100. l. and for the second, lose his office. And every Customer, Officer, or his Deputie, that shall make any false certificate of the arrivall of any Leather in any port, cricke, or place of this realme, shall forfeit for every offence 100. l. But this Act shall not extend to any Scottish Hides, to be brought into the Towne of Bartwicke out of the Realme of Scotland, being registred in a Booke, therefore to be kept, by such person or persons, as the Mayor of the said Towne for the time being, shall thereunto name and appoint, with the name and surname of the buyer and seller, to the intent the English Hides might be knowne from the Scottish. But the inhabitants of the said towne of Bartwicke may send, carrie, and transport such Scottish Hides, as they lawfully might transport before the making of this Act. 1. Iac. 22. to endure vntill the end of the next Session of the next Parliament. S. Leather.

**Custome of
Wool.** 10 No English merchant shall pay for the custome of a sacke of wool, but viij. s. viij. d. 14. Ed. 3. 21. No merchant alien or denizen shall be compelled to pay any custome for their cannafe or coznors, with which their wolls be packed. 34. Ed. 3. 19.

**Small things
not customed.** No owner of a ship shall lose the same for a small thing therein put without his privity not customed. 38. Ed. 3. 8.

**Sureties of
strangers
to employ
their money
received &c.** 11 Every Customer or Controller shal take sufficient suretie of every merchant alien, victualler, or other stranger, to employ the money receiued for his merchandize, vpon the commodities of this land, or to put the same money for his merchandize receiued in due payment (his reasonable expences deducted) vpon paine of forfeiture of the value of the said merchandize to the R. and A. &c. 3. H. 7. 8. 17. Ed. 4. 1. S. Merchants 9. Money 3.

12 If any merchant denizen, or stranger, shall sell, or offer to sell any Cloth of gold,

gold, silver, bolwokin, beluet, damaske, satten, tartaron, chamlet, or other cloth of silke, or any coze of silke and of gold, or any coze of silke made beyond the Sea, before the Collectors of the subsidie of Tonnage and Poundage, and the Controller of the same, in the Port where such Merchandize is set upon land, haue surveyed measured, and sealed euery piece thereof, in the one end with the seale ordained for the same, he shall forfeit the same, or the value thereof. 12. Ed. 4. 3. And if any Collector or Controller of the subsidie, or any of their Clerkes, do take any thing for sealing any of the foresayd peeces, he shall forfeit for euery time xx. l. And if any of them doe vnrasonably delay any merchant about the sealing of such merchandize, he shall forfeit for euery offence xl. s. to the King and partie grieved, to be recovered by A. J. &c. wherein no W. &c. P. &c. H. 8. 6.

Like shalbe surveyed and measured by the Customer

The officer shall take no reward, nor delay the merchant.

13 Any person made or to be made denizen, shall pay for his merchandize like custome and subsidie inward and outward, as he should haue payd before he was Denizen. 1. H. 7. 2. 11. H. 7. 14. 22. H. 8. 8.

Aliens made Denizens.

14 Euery subiect bozne in England, & swozne to be subiect to a fozeine Prince, so long as he shall abide, and be subiect to a fozeine prince, shall pay such customes, Subsidies, Tolles, and other Impositions within this Realme, as other Strangers of those parts where the said Englishman maketh his habitation, vse to pay. But if after any such person doe returne into the Realme here to inhabite, then he shall be restozed to such Liberties, in paying of Customes and other charges, as other Englishmen vse to pay, and haue a writ out of the Chauncerie for the same. 14. H. 8. 4.

Englishmen subiect to other princes.

15 Euery merchant which shall bring any goods into any Port in this realme, and there doth enter the same in the Customers books, and paie vnto him the kings dutie, and will after carry the same goods from thence, into any other port within this Realme, shall bring from the Customers of the Port where the goods were entred, a Certificat vnder their Seales directed vnto the Customers of the Port whereto the goods shalbe conueyed, making mention therein of the colour, length, weight, content, and value of all the goods so entred: and the Customer or Officer to whom such certificat shall come, shall take nothing for the sight of the same goods. And if any of the said goods shall be discharged, unpacked, or put to sale within any Port (other then the same where they shalbe first entred) before the sayd Certificat be deliuered, and the same goods seene, then they shalbe forfeit to the King, and him that will pzooue such forfeiture. 3. H. 7. 7.

Goods brought into one port, and then remoued to another.

16 If a certificat be made by the customer of any port whereto such merchandizes shalbe first brought, and there in their Bookes entred, not making mention, as is aforesaid, the Customer shall lose his office, and make fine to the King at his pleasure. 3. H. 7. 7. The Custome and Subsidie of all wollen clothes to be shipped and carried ouer the Seas (wherefoeuer they be packed) shalbe payed to the Customers of the Port, where any such clothes shalbe laden, or shipped, or to their deputies. 11. H. 7. 6.

Certificat entred into the Customers bookes.

wollen clothes packed in one port, & shipped in another.

17 Euery Customer or Controuler, which will not write, and deliuer sufficient warrants sealed with the Seale of their Office, to any Merchant shewing and duely customing his merchandizes in the discharge of the same (without any thing receiuing therof, but onely the due custome) shall forfeit for euery offence to the King. x. l. and to the merchant grieved v. l. for the which the said merchant shall haue an action. 11. H. 6. 15.

Warrants of discharge to the Merchant paying the due custome.

18 No person, Denizen, or Stranger, shall enter into the bookes of any Customer, or other officer of any Port or Haven, or his Deputie or Seruant any goods, wares, or merchandizes whatsoever, brought into the Kings dominions, or to be transported forth of the same, in the name of any other person than the very true owner of the same goods, being not sold or bargained for, by any person before such entry. 11. H. 6. 15.

No man shall enter goods in another mans name.

Customes, Subsidies, Customers, &c.

**Cocketting
Wools.**

trie, or before the arrivall of such goods or merchandizes into the parts beyond the Sea, upon paine of forfeit of the value of the goods so entred. 1. El. 1. 1. H. 8. 5. 14. Ed. 3. 21. And whosoever doth cocket wools but in the name of him whose the wools be, shall forfeit them. 13. R. 2. 9.

**Customing of
others goods,
whereby the
King loseth
his duty.**

19 If any Merchant or stranger, Denizen, or other the Kings Subject shall cu-
stome any goods, or merchandizes of any other, whereby the K. shall lose his custom,
subsidie, or other right, or duetie, he shall forfeit all his goods and cattels personals
for ever to the K. and J. that will sue within thre yeares, to be recovered by A. J.
etc. wherein no W. etc. C. P. etc. 3. H. 7. 7. 1. H. 8. 5. 2. Ed. 6. 22.

**Custom of
Wines.**

20 If any person inheriting in the Cinque Ports, or other, being free of passage
or butlerage of wines, by graunt, custome, or otherwise, do custome the wines of a-
ny other person, being not free, he shall forfeit all his goods and cattels personals to
the K. and J. that will sue within thre yeares, to be recovered by A. J. wherein no
W. etc. C. P. etc. 1. H. 8. 5. 2. Ed. 6. 22.

**Base mettall
removed from
one Port to
another.**

21 If any Customer, Controulor, or his Deputie will suffer by couin or other
undue meanes, any person, after that his Basse, Latten, Copper, Pettall etc. is
shipped or caried, contrarie to the meaning of the Statute in that case provided, to
make an Obligation without date for the discharge and Certificat of his Pettall:
then he shall lose his Office, and the value of the Pettall. And if any Customer or
Searcher doe willingly suffer any of the Pettalls aforesayd to be shipped, contrary
to the meaning of the sayd Act, or else having knowledge that it is secretly shipped,
or caried, doe not seize the same to the K. use, then he shall lose his Office, and the
value of the sayd Pettall. 33. H. 8. 7. 2. Ed. 6. 37. S. Brasse 3.

**Common of-
cer of a towne
shalbe no offi-
cer in the Cu-
stome there.
No Customer
shall have a
Ship, &c.**

22 If a common Officer in any Citie, Borough, or Towne, or his Deputie, doe
take upon him to be Customer, Controulor, or Searcher in any Port in the same
Citie, Borough, or Towne, he shall forfeit for everie halfe yeare that he occupieth
both the sayd Offices to the K. and J. etc. 3. H. 7. 7.

23 If a Customer, Controulor of the Custom, Clerke, deputie, Minister, Ser-
vant, Factor, or Searcher, Controulor, or Surveyor of Searches, or any of their
Clerkes, deputies, Ministers, or Factors shall have any Ship of his owne (14. R.
2. 10.) or shall buy or sel by way or colour of merchandize, or meddle with the traigh-
ting of ships, or have, or occupie any wharves or keies, or keepe any Inne or Ta-
verne (11. H. 4. 2.) or shall be Factor or Attorney for any Merchant denizen, or ali-
en, or shall be host to any Merchant or stranger, he shall forfeit for every such offence
xl. to the K. and J. etc. 20. H. 6. 5.

**Customer co-
cealing the K.
Custom.**

24 If any Customer, Collector, or Controulor of the K. Customes, of cockets
of Clothes, Subsidies, Tonnage, or Poundage in any place of this Realme,
doe falsely conceal the Kings Custom or Subsidie duely entered and paid by a-
ny Merchant, and bee thereof duely attainted or convicted at the Kings suite, he
shall forfeit the treble value of the Merchandize so duely customed, and also pay a
fine, and he that will sue, shall have the third part. 3. H. 6. 3. And every customer
upon the yielding of his account in the Exchequer, shall be swoyne to answer to the
King all profits without fraud. 4. H. 4. 20.

**The Custo-
mer swoyne.**

**Which custo-
mers may
make depu-
ties, & which
not.**

25 The Customers and Controulers in every Port of England shall abide by
on their Offices in their proper persons, without making any Deputie or Lieu-
tenant in their names. 1. Hen. 4. 13. And thereunto they shall be swoyne: And he
which doth the contrarie, shall forfeit 100. pound, and be imprisoned. And the like
summe shall a Searcher, and the Lieutenant of the Kings chiefe Butler forfeit, if
he doe not abide upon his Office, or doe make Deputie. 4. H. 4. 20. But the Custo-
mer of Wyne shall have a Servant, or Deputie, continually resident at the Citie
of Poike. And everie other Customer, Controulor, and Searcher of every Port
shall assigne to and in everie of the Ports of London, Southhampton, Bristol,
Wells,

Westchester, New-castle, and the suburbs of the same, and in every port, crake, or Rode (where the Scrutant of any of them have bene continually resident by the space of ten yeares, or hereafter shall be) one able and sufficient Deputie or Scrut at the least. 1. Eliz. 11.

26 If a Customer, Controulor, Gaugeor of wines, or Searcher be absent from his Office by the space of thre weekes, he shall lose his Office, except he be commanded to be in some of the Kings Courts of Record, or otherwise in the Kings service of Record. 1. H. 4. 13. 4. H. 4. 20. 13. H. 4. 5.

A Customer shall continue up to his office.

27 As well every Customer, Controulor, and Searcher, as every of their Deputies and Seruants, shall from time to time doe their diligent attendance at the houres, times, and places (appointed by the Statute made 1. Eliz. for laying on land Merchandize) in the Custome-house, and elsewhere, as it shall be most convenient for the speedy dispatch of the Merchant, his wares and merchandize, and for the due execution of the foresayd Act, in such things as to him shall appertaine, without concealment or consenting to any thing, which may be to the damage of the Queen her heires, or successors, in the just answering of her Customes and Subsidies, upon payne, that everie such Customer, Controulor, and Searcher shall forfeit for every offence his office, and 100. l. to the Queen and I. wherein no W. ec. C. P. J. &c. And if any Officer pertaining to the Subsidie, or Custome, do know any offence, committed contrary to any article of the said Statute, and doe not disclose it within one moneth to the chiefe officer of the same Port, or to the Lord Chancellor, Treasurer, Barons of the Exchequer, or Attorney generall &c. he shall forfeit 100. l. 1. Eliz. 11. S. Merchants 5. 6. 7. 8.

Officers of the Custome shall be attendant.

1 No Brasse, Copper, Metall, &c. shall be shipped but out of a Port where there is a Customer. S. Brasse 5.

2 What bonds, and vpon what paine, a Customer shall take for the carrying of Brasse or other Metall from one Port to another. S. Brasse 3.

3 Masters of ships shall declare vnto the Customers, when they goe forth, and when they returne. S. Merchants 7. 8.

4 What Custome aliens shall paie for salted Fish &c. brought into this realme. S. Fish 18.

5 The forfeiture of a Customer, which sealeth a blank Scrowe. S. 11. Henr. 6. 16.

6 The penaltie of a Customer, Searcher, &c. distraining, or arresting any goods of the Kings subiects. S. 28. H. 6. 5.

7 The Kings Custome and Impost for Beere transported. S. Corne 6.

Damages and Costs.

Where any person shall sue forth or procure to be sued forth of the B. Bench any Latitat, Alias, or Pluries Capias against any person, which vpon the same shall be arrested, or appeare vpon the returne of any the said writs or proces, shall put in his baile to answer such suit as shall be objected against him: When if the partie at whose procurement the same writ or proces was obtayned, doe not within thre daies next after such baile taken, put into the same Court his declaration against the same party against whom such writ or proces shall be sued: Or if after declaration had, the plaintife shall not prosecute the same with effect, but shall willingly & apparantly to the same Court suffer his suit to be delayed: Or shall after declaration suffer the same suit to be discontinued: Or shall be nonsuit in the same, then the Judges of the said Court shall by their discretions, as they shall perceine a

Damages where the pt doth delay his suit, doth discontinue, or is nonsuit.

Damages and Costs.

ny such default to be in the partie, at whose procurement such writs or proces was sued forth, toward to every such person so arrested or troubled by such writs or suit, his costs & damages, and charges by any means sustained, by occasion of any such writs, proces, arrests, or suits taken, had or sued against him, to be paid by such person, that so shall cause any such writs or proces to be sued forth. 8. Eliz. 2.

**Sutes in the
Barchalney,
and Corporat
Townes.**

2 If any person shall cause any other person to be attached or arrested, to answer to any Will, Plaint, Action, or Suit in the Court of the Barchalney, or in any Court within London, or in any City, Borough, Towne corporat, or other place, where any priuiledge is vsed to hold plea in any action personall, and doe not in all Courts (having their continuance de die in diem) within 3. daies next after the def. shall be bailed, or otherwise appears in Court, by force of any arrest or attachment had & returned, & in all other Courts, at the next Sessions or Court to be holden after such arrests or attachments, & apparance of the def. whereas the sayd def. ought to appear (vntlesse a further day shall be especially giuen by the discretion of the Court, from whence any Wrecept, Proces, or Attachment shalbe awarded) exhibit his bill or declaration against such person as so by his means shalbe attached or arrested, into such Court where the party ought to appear: And if any such person, at whose suit any such attachment or arrest of any person shalbe so made, after his declaration, bill, or plaint exhibited, do not from thenceforth prosecute & same his suit with effect, or shall suffer the same to be discontinued, or shall after be nonsuit in the same, or willingly and apparantly to the same Court, shall for veracion of the def. delay the same suit, then the Judge or Judges of every such Court shall forthwith by his or their discretion, as he or they shal perceiue any such default or delay in the party that procured any attachment or arrest to be had, award to euerie such person, which shall be so attached or troubled, his costs, damages and charges, by any means sustained, by occasion of any such attachment, arrest, and suit so had against him, to be paid by such person that so shall cause any such attachment or arrest to be so made. 8. Eliz. 2.

**Arresting of
any person at
another's suit,
not knowing
thereof.**

3 If any person shall by any means maliciously, or for veracion, procure any other person to be arrested or attached, to answer in any the Courts or places aforesayd, at the suit or in the name of any person, where indeed there is no such person knowne, or without the consent of such person, at whose suite, or in whose name such arrest or attachment shall be so had: then euery person that shall so procure any such arrest or attachment, and shall thereof be convicted, or lawfully accused by Indictment, Presentment, or by the testimonie of two sufficient witnesses, or more, or other due prowe, shall for euery such offence by him committed, or procured, suffer imprisonment sixe moneths, without bayle or mainprise, and before hee shalbe deliuered out of the prison, shall pay vnto the party so arrested or attached by his meanes, treble the costes, charges, damages, and expences, that he shall be put vnto, by reason of such attachment so had, and shall also pay vnto such person, in whose name or at whose suit he shall so procure such arrest or attachment to be made (if then there shall be any such person knowne) x. l. for euery such offence. 8. Eliz. 2.

**Remedie for
the forfeiture
of a day.**

4 Euery person to whom any costs, charges, damages, forfeiture, or payment of any money, by this Act shalbe awarded, or forfeited, may at all times haue his remedie by so: the recovery thereof, by A. of debt, bill, or plaint, in any Court of Record, against such person, his heirs, executors, or administrators, as ought to pay & same, by force of this act, wherein no W. C. p. 4c. 8. Eliz. 2.

**Damages in
a writ of error
sued before ex-
ecution.**

5 If any def. or tenant, against whom iudgement to recover is giuen, or if any other that shalbe bound by the said iudgement, sue before execution had, any Writ of Error, to reuerse any such iudgement in delaying of execution, then if the sayd iudgement be affirmed good in the said writ of Error, & not erroneous, or that & said writ

Writ of Error be discontinued in the default of the party, or if the person that sued such writ of Error, be nonsuit in the same, then the said person against whom the said writ of Error is sued, shall recover his costs & damages for his delay & wrongfull veration in the same, by discretion of the Justice before whom the said writ of Error is sued. 3.H.7.10.19.H.7.20.

6 If any person doe commence, or sue in any Court of Record, or in any other Court, any action, bill, or plaint of trespass upon the statute of 5.R.2.7. for entries into lands & tenements, where no entry is given by the Lawe: Or any action &c. of debt or covenant, upon any speciality made to the plaintiffe, or upon any contract supposed to be made betwene the plaintiffe & any person: Or any action &c. of Detinue of any goods or cattels, whereof the plaintiffe shall suppose that the property belongeth to him: Or any action &c. of account, in which the plaintiff supposeth the def. to be his Bailiffe, or receiver of his manor, money, goods &c. to yield account: Or any action &c. upon the case, or upon any statute for any offence, or wrong personal, immediately supposed to be done to the plaintiffe, & the plaintiffe in any such action, bill, or plaint, after appearance of the def. be nonsuited, or any verdict happen to passe by lawfull triall against the plaintiffe, in any such action, bill, or plaint: Then the def. in every such action, bill, or plaint, shall have iudgement to recover his costs against every such plaintiffe. And that shalbe assessed by the discretion of the Judge or Judges of the Court, where any such action, bill, or plaint shall be commenced, sued, or taken. And also every def. in such action, bill, or plaint, shall have such proces and execution for the recovery of his costs against the same plaintiffe, as the same plaintiffe should or might have had against the def. in case that the iudgement had bin given therein for the plaintiffe. 23.Hen.8.15. If any person or persons at any time after the end of this present Session of Parliament, shall commence or sue in any Court of Record, or in any other Court, any action, bill, or plaint of Trespass, or Eiectione firmæ, or any other action whatsoever, wherein the plaintiffe or demandant might have costs (if in case Iudgement should be given for him.) And the Plaintiffe or Plaintiffes, Demandant or Demandants in any such Action, Bill, or Plaint, after appearance of the Defendant or Defendants, be nonsuited, or that any verdict happen to passe by any lawfull tryall against the Plaintiffe or Plaintiffes Demandant or Demandants in any such Action, Bill, or Plaint: Then the Defendant and Defendants, in every such Action, Bill, or Plaint, shall have Iudgement to recover his costs against every such Plaintiffe and Plaintiffes, Demandant and Demandants, to bee assessed, taxed, and leuyed in manner and forme, as costs in the said Actions are to be assessed, taxed, and leuyed in and by the said Lawe of the thys and twentieth yeare of King Henrie the eight. 4. Iacob. 3.

Damages in a writ of error sued before execution.

7 But all and every such poore persons, being plaintiffes in any of the said actions, bills, or plaints, which at the commencement of their suits or actions be admitted by the discretion of the Judge or Judges where such suits shal be pursued, or taken, to have their proces & counsaile of Charitie, without any money paying for the same, shal not be compelled to pay any costs by this statute, but shal suffer other punishment, as by the discretion of the Justices or Judge, before whom such suits shall depend, shalbe thought reasonable. 23.H.8.15.

He that is allowed in Forma pauperis, shall not pay costs.

8 Every anowant, and every other person & persons that maketh any anowant, justification, or cognizance, as bailly or servant to any person or persons in any Replegiare, or second Delinérance, for rents, customes, seruices, or for damage sesant, or other rents, upon any distress taken in any lands or tenements, if the same anowant, conuassance, or iustificatiō be found for them, or the plaintiffes in the same be nonsuit, or otherwise barred, then they shal recover their damages & costs against the said plaintiffes, as the same plaintiffes should have done, if they had recovered in

I knownt that recover costs & damages against the pt.

H b iij

the

Damages and Costs. Daies in Banke.

the Replegiare o; second deliuerance found against the said def. 7.H.8.4.21.H.8. 19.S. Auowrie 2.

Actions sued to the Kings ble.

9 Albeit the plaintife shalbe nonsuited in any whatsoener action, Suit, Bill, o; Plaint, commenced o; sued to the vse of the King, his heires, o; successours, kings of England, o; that it shal happen any verdict to passe against any such plaintife in any such action &c. the defendant shall not recouer any costs against any such plaintife. 24.H.8.8.

The informer shall pay costs & damages.

10 If any informer o; plaintife vpon any penall statutes, shall willingly delay his suit, o; shal discōtinue, o; be nonsuit in the same, o; shal haue the trial o; matter passe against him therein by verdict, o; iudgemēt of Law, in every such case he shal pay vnto the def. his costs, charges, & damages to be assigned by the court, in which the same suit shalbe attempted: for the recouerie and execution whereof, the def. shall immediately vpon the same costes, charges, and dammages assigned, haue his Capias ad satisfaciendum, Fieri facias, o; Elegit to be awarded vnto him out of the same Court, in which the same shalbe so assigned. 18.Eliz.5.27.Eliz.10.S. Action popular 4.

The alienē of the Disseisor charged with Damages. Entre sur disseisin.

11 If disseisors do alien their lands, & haue not wherof damages may be leuied, they to whose hands such tenements shal come, shall be charged with the damages, so that every one of the shalbe charged with damages for his time. And the disseisor shall recouer damages in a writ of Entry vpon disseisin, against him which is sould tenant after the disseisor. Glouc.6.E.1.1.

Mordancester, Cofinage, Aiel Befaiel.

12 Damages shalbe atwarde where a man recouereth by assise of Mortdancester, Cofinage, Aiel and Betaiel. Glouc.6.E.1.1.

where damages shalbe recovered, there costs also.

13 In all cases where the demandant shall recouer damages (being the value of the issues of the land, there he shall also recouer against the tenant, the costes of his writ purchased, with the said damages. Gloucest.6.E.1.1.

Recouery vpon his owne intrusion.

14 Every mā shalbe cōpelled to render damages, where recouery is had against him vpon his own intrusion, o; act, which damages shal run after the writ purchased against him, though his ancesto; died seised thereof. 6.E.1.1.

The R. shall recouer costs & damages.

15 The R. in all suits to be taken, vpon any specialty made to his grace, o; any to his vse, shal recouer his iust costs & damages as other common persons vse to do, in suits for their debts. 33.H.8.39.

In action for a summe not exceeding 100 s.

16 If vpon any action personal to be brought in any her Pa. Courts at Westmynster (not being for any title o; interest of lands, no; concerning hōld o; inheritance of any lāds, no; for any battery) it shall appeare to the Judges of hō same court, & so signified o; set down by the Just. before whom hō same shal be tryed, that the debt o; damages to be recovered therein in the same Court, shal not amount to the summe of 100 s. o; above, In euerie such case the Judges and Justices before whom any such action shalbe pursued, shall not award for costs to the partie plaintife, any greater o; more costs then the sum of the debt o; damages so recovered shal amount vnto, but lesse at their discretions. 43.El.6.1.Jac.25. to continue in force vntill the end of the first Session of the next Parliament.

1 A woman shall recouer Damages in a writ of Dower, from the death of her husband. S. Dower 1.

2 Where treble Damages shall be recovered vpon Assise of Common. S. Aprouements 5.

Dayes in Banke.

4. Daies of returne in Trinity Terme.

In Trinity Terme shalbe foure common daies of returne onely, and not above, viz the first day of returne shalbe and be called in crastino sancti Trinitatis, The second day of returne of the same Terme shalbe and be called in octab. sancti Trinitatis,

ratis. The third day of returne of the same Terme shalbe and be called in quindenā sanct. Trinit. And the fourth day of returne of the same Terme shalbe and be called à die sanct. Trinit in tres septiman. And the same daies of returne shalbe obserued and kept in all the Kings high Courts of Wecord to be holden at Westminster, or other place or places, at the appointment or agreement of the B. his heirs or successors. And there shal not be, nor be called any daies of returne, in crast. sanct. Iohan. Baptist. octab. sancti Iohan. Baptist. nor quindenā sancti Iohan Baptist. nor any of them. 32. H. 8. 21.

2 And the said Terme of holy Trinitie shall yerely for ever begin the Sunday next after Trinitie Sunday, whensoever it shall happen to fall, for the keeping of the estoines, proffers, returnes, & other ceremonies heretofore used and kept, in like maner & forme, as in times past hath bin used to be done in the day of returne commonly called in octab. sanct. Trinit. And the full terme of the said Trinity Terme shal yerely for ever begin the Friday next after Corpus Christi day, in such and in like maner & forme, to all intents, as heretofore hath been used the wednesday next after Corpus Christi day. And the said second & third daies of returne, called octab. sanct. Trin and quindenā sanct. Trinit shall take their commencement & begin as in times past hath bin used. And the said fourth day called à die sanct. Trin in tres septiman shall take his commencement & begin from the said Trinitie Sunday into ty. weeks then next following, & shall haue his returne with the fourth day, as is accustomed in other like daies of returne. 32. H. 8. 21.

The beginning of Trinity Terme.

3 If a writ come in octabis sanct. Michaelis, day shalbe giue thereupon in octabis sanct. Hill. If in quindenā sanct. Michael, in quinden. Hillarij. If in tribus septimanis sanct. Michael, in crast. Purificationis. If in mense Michael, in octab. Purific. If in crastin Animarum, in quinden Pasch. If in crast. sanct. Martini, in tribus septiman Pasche. If in oct. sanct. Mar, in mense Pasch. If in quinden Mar, in quinque septiman Pasch. And also there is a day specially giuen in crastino Ascencionis, and it counterualleth as much as quinque septiman Pasche. Ann. 51. H. 3. If any writ in any reall action come in and be returnable into any of the B. courts in octab. sanct. Hillarij, the day shall be giuen in crast. sanct. Trinit. If in quindenā sanct. Hillar, in oct. sanct. Trin. If in crast. Purific. beatę Mariz, in quindenā sanct. Trinit. If in Octab. Purificat beatę Mariz, à die sanct. Trinit in tres septiman. Ann. 32. H. 8. If in quindenā Pasch, in octab. sanct. Michael. If in tribus septiman Pasch, then in quindenā sanct. Mich. If in mense Pasch. then in tribus septimanā sanct. Michael. If in quinque septimanā Pasch. or in crastin Ascencionis, in mense sanct. Michael. Ann. 51. H. 3. If any writ in any reall action come into any of the Kings Courts returnable in crastino sanct. Trinit then day shalbe giuen in crast. Animarum. If in octab. sanct. Trin, in crastino sanct. Martini. If in quindenā sanct. Trin in octab. sanct. Martini. If à die sanct. Trinitatis in tres septiman, in quindenā sanct. Martini. 32. H. 8. 21.

Daies giuen in real actions

4. Returnes.

4 In a plea of Dower, called (vnde nihil habet) four daies shalbe giuen in the yeare at the least, and moe if it may conveniently be: So that they shall haue four or 6 daies at the least in the yeare. Marib. 52. H. 3. 12 If the writ do come in octab. Sanct. Michael, day shalbe giuen vntill crastin Animarum. If it come in quindenā Mich. day shalbe giuen vntill crastin Martini. If in mense Mich. then in quinden. Mar. If in crast. Animar then in oct. Hillar. If in crast. Mar, then in quinden Hill. If in oct. Mar, then in crast. Purific. If in quinden Mar, then in oct. Purific. If in oct. Hill, then in quinden Pasch. If in quinden Hill, then in tribus septiman Pasch. If in crast. Purific, then in mense Pasch. If in oct. Purific, then in crast. Ascencionis, Ann. 51. H. 3. And if any writ of Dower come into any of the B. Courts, & be returnable, in quinden Pasch then day shalbe giuen in crast. sanct. Trin. If à die Pasch in tres septiman, in oct. sanct. Trin. If à die Pasch in vnu mense, in quindenā sanct. Trin.

Daies giuen in Dower.

4. Returnes.

Daies in Banke. Debts, Debtors.

Trinit. If a die Pasche in quinque septim. or in crast. Ascend. dñi, then day shalbe giuen into the day of a die sanct. Trin in tres septiman. And if any writ of dower come into any of the Kings Courts of Record in crast. sanct. Trin then day shalbe giuen in Oct. sanct. Mich. If in Oct. sanct. Trin. in quinden sanct. Mich. If in quinden sanct. Trin. a die sanct. Mich. in tres septim. If a die sanct. Trin in tres septim. a die sanct. Mich. in vnum mens. or otherwise, as is appointed, limited, and declared by the Statute of Marlebridge. 32. H. 8. 21.

Special daies assigned for the returning of writs.

5 In Assises of Darreine presentment, & in a plea of Quare impedit of Churches vacant, daies shalbe giuen from xv. to xv. or from thre weeks to thre weeks, as the place shall hap to be nere or farre, Marleb. 52. H. 3. 12. All common writs & proces, aswell personall as mist, which shal fortune to be returnable in Trinitis Terme, shall haue & kepe the said returnes of crast. sanct. Trin, octab. sanct. Trin, quinden sanct. Trin, & a die sanct. Trin in tres septiman, or any one of them. Provided alway, that in such & like cases & proces as speciall daies haue bin used to be appointed, assigned, & giuen, for the returning of writs & proces, It shalbe lawfull to the Justices of euery of the R. Courts of Record for the time being, in all the proces by them awarded, to assigne & appoint speciall daies of returnes, as by their discretions shalbe thought convenient. Provided also, that the daies in assise of Darrein presentment, & in plea of Quare impedit, limited & appointed by the Statute of Marlb. And also the daies to be giuen in Attaint limited in the Statute 5. E. 3. 7. being not contrariant to the tenor of this act, shalbe holden firme & stable, & shall stand in their full force & effect. Anno 33. H. 8. 21.

6 In summons and attachments in plea of land, the writs shal contain xv. daies full at the least after the common law, if it be not in attachment of Assises taken in the R. ptesce, or of pleas before Justices in eire, during the eire. Artic. super chart. An 28. E. 1. 15.

The Leape yere.

7 The day increasing in the Leape yere shalbe accounted for one day, so that because of that day none shalbe pzeindiced that is impleaded, but it shalbe taken and reckoned of the same month wherein it groweth, & that day & the day next going before, shalbe accounted for one day. Bessextile, An 21. H. 3.

1 Daies in Quare impedit and Assise of Darreine presentment. S. Quare impedit 1.

2 Daies in Attaint. S. Attaint 2. 12.

3 Daies in a writ of Communi custodia. S. Wards 5.

4 Daies in action of Wast. S. Wast. 3.

5 Daies giuen in Admeasurment of Pasture or Dower. S. Admeasurment 1.

6 Daies of grace giuen to him in the reuersion, which prayeth to be receiued. S. Receit 3.

Debts, Debtors.

Forfeiners shal not be distrained for debt.

If a City, Borough, Market, or Fair, no forreiner shall be distrained for a debt that he doth not owe, or is not surety for: and he that doth it, shall be grievously punished, & presently the distresse shalbe deliuered by the R. Bailiffs of the place, or by other of the Kings Bailiffs, if need be. West. 1. 3. E. 1. 23.

It meane to recover small debts in London.

2 Euery citizen & freeman of the cite of London, & euery other person & persons inhabiting, or that shall inhabite within the sayd City or Liberties thereof, being a tradesman, victualler, or a labouring man, which now haue, or hereafter shall haue any debt or debts owing vnto him or them, not amounting to xl. s. by any citizen, or by any other person or persons, being a victualler, tradesman, or labouring man, inhabiting, or that shall inhabite within the said cite or Liberties thereof, shall or may cause such debto or debtors to be warned or summoned by the beadle or Officer of

of the Court of Requests for the time being by writing to be left at the dwelling house of such debtor or debtors, or by other reasonable warning or notice to be given to the said debtor or debtors, to appear before the Commissioners of the Court of Requests, holden in the Guild Hall of the said city: And the said Commissioners, or any 3. of them, or more, shall have authority by vertue of this Act, from time to time to set dovine such order or orders betwene such party or parties plaintife, & his, or their such debtor or debtors def. touching such debts, not amounting to the value of xl.s. in question before them, as they shall find to stand with equity & good conscience. All such their order or orders to be registered in a booke, as they have bin accustomed, & as well the partie plaintife, as the debtor or def. to observe, performe, & keepe the same in all points. And for the more due proceeding herein, it shalbe lawfull for the same Commissioners, or any 3. or more of them, to minister an oath to the plaintif or def. and also to such witnesses as shalbe produced on each party, if y^e same Commissioners, or any 3. of them, or more, shall so thinke it meet. 3. Jac. 15.

3 If in any action of debt, or action upon the case upon an Assumpsit, for the recovery of any debt to be sued or prosecuted against any the person or persons afoze said, in any of the R. Courts at Westminster, or elsewhere out of the said Court of Requests, it shall appeare to the Judge or Judges of the Court, where such action shalbe sued or prosecuted, that the debt to be recovered by the plaintif in such action, doth not amount to the summe of xl.s. And the def. in such action shall duly prove, either by sufficient testimonie, or by his own oath, to be allowed by any the Judge or Judges of the said Court, where such action shall depend, That at the time of commencing of such action, such def. was inhabiting & resident in the city of London, or the liberties thereof, as above: in such case the sayd Judge or Judges shall not allow to the sayd plaintife any costs of suit, but shall award, that the same plaintife shall pay so much ordinarie cosse to the party Defendant, as such def. shall iustly prove before the said Judge or Judges, it hath truly cost him in defence of the sayd suit. 3. Jac. 15.

Writtes for small debts in other Courts

The plaintife shal pay cosse.

4 If any such plaintife or credito, defendant or debtor, after warning given him or them, in maner & forme before in this act mencioned, by the sayd Officer of the said Court of Requests, shal without some iust cause of excuse, refuse to appeare in the said Court before the said Commissioners, or shal not performe such order as the sayd Commissioners, or any 3. or more of them, shal set down, for, or concerning such debts as afoze said: When it shalbe lawfull for the said Officer of y^e said Court, or any other of the Sergeants at Lawe of the said city, by order of y^e said Commissioners, or any 3. or more of them, to commit such party or parties to prisn, into one of the Counters of the said city, there to remaine until he or they shall performe the order of the sayd Commissioners in that behalfe. 3. Jac. 15.

Refusing to appeare, or not performing of orders.

5 Provided alwayes, that this Act shall not extend to any debt for any rent, upon any Lease of Lands or tenements, or any other reall contract, nor to any other debt that shall arise by reason of any cause concerning Testament, or Matrimony, or any thing concerning or properly belonging to the Ecclesiasticall Court, albeit the same shall be under xl. s. Any thing before contayned to the contrarie notwithstanding. 3. Jac. 15.

Reall contracts.

6 So Tradesman or Handicrafts man keeping a Shopbooke his or their executors or administrators, shall after the Feast of Saint Michaell Tharchangell next coming be allowed, admitted or receiued to give his Shopbooke in evidence in any action for any money due for wares hereafter to be deliuered, or for worke hereafter to be done, aboue one yeare before the same Action brought, except he, or they, their executors or administrators, shal have obtayned or gotten a bill of debt, or obligation of the debtor, for the said debt, or shall have brought or pursued against the sayd Debtor his Executors or Administrators some Action for the said debt, wares,

In what case a Tradesmans Shopbooke shalbe no evidence to recover a debt.

Debts, Debtors. Demurrer. Dilapidations.

Intercourse
of traffique
between mer-
chants,

wares, or worke done within one yeare next after the same wares deliuered mo-
ney due for wares deliuered, or worke done: Provided alwayes that this act shall
not extend to any intercourse of traffique, merchandising, buying, selling, or other
trading or dealing for wares deliuered, or to be deliuered, money due, or worke done
or to be done betwene Merchant and Merchant, Merchant and Tradesman,
or betwene Tradesman and Tradesman, for any thing directly falling within the
circuit or compasse of their mutuall Trades and Merchandizes: But that for such
things onely they, and euery of them, shall be in case as if this act had neuer bene
made: any thing herein conayned to the contrary thereof notwithstanding. 7. Ia-
cob. 12. This act to continue to the end of the first Session of the next Parliament,
and no longer.

Demurrer.

After demur-
rer indigment
shall be given.

After Demurrer ioyned and entred in any Action, or Suit, in any Court of
Record within this Realme, the Judges shall proceed and giue Iudgement,
according as the verie right of the cause & matter in Law shall appeare vnto them,
without regarding any imperfection, defect, or want of forme in any writ, returne,
plaint, declaration, or other pleading, proces, or course of proceeding whatsoever:
Except those onely which the party demurring shall specially and particularly set
downe and expresse together with his Demurrer. And no iudgement to be giuen,
shall be reuerfed by any writ of Errour, for any such imperfection, defect, or want of
forme, as is aforesayd, except such onely as is before excepted. 27. El. 5.

The Court
may amend
defects.

2 After demurrers ioyned & entred, the Court wher the same shall be, shall and
may from time to time amend all and euery such imperfections, defects, and wants
of forme as is before mentioned, other then those onely, which the partie Demur-
ring shall specially & particularly expresse & set down together with his Demurrer,
as is aforesayd. 27. Eliz. 5.

Appeale, In-
dictment.

3 This act, or any thing therein contained, shall not extend to any Writ, decla-
ration, or Suit of Appeale of Felonie, or Murder, nor to any Indictment, or pre-
sentment of Felonie, Murder, Treason, or other matter, nor to any Proces vpon
any of them, nor to any Writ, Bill, Action, or Information vpon any Popular or
Penall statute: Any thing aforesaid to the contrarie notwithstanding. 27. Eliz. 5.

Information
vpon penall
Statutes.

Dilapidations.

Fraudulent
deeds to de-
feat the succes-
sors of their
remedie for di-
lapidations,

If any Archbishop, Bishop, Deane, Archdeacon, Prior, Treasurer, Chaüter,
Chancelor, Prebendary, or any other, hauing any dignitie or Office of any Ca-
thedral Collegiat Church within this Realme, or any Parson, Vicar, or other In-
cumbēt of any Ecclesiastical living, wherunto do belong any houses or buildings,
which by law or custom he is bound to maintain in reparation, do suffer any of his
said houses or buildings to fall downe, or run in decay, & after do make any deed of
gift, alienation, or other conveyance of his moueable goods or cattels in his life time,
to the intent after his death, to defeat his successors of such iust actions & remedies
as otherwise they might haue had for the same, against their executors, or administrators
of their goods: Then the successors of him which shall make such deed &c.
shall and may commence suit, and haue such remedie in any Court Ecclesiasticall
within this Realme, competent for the matter against him or them, to whom such
deed of gift or alienation shall be so made, for the amending and reparation of such
Dilapi-

Dilapidations. Disceipt. Discontinuance of Proces. 180

just recompence for the same, as hath happened by his fact or default, in such sort as he might, should, or ought lawfully to have, if he or they to whom such deed of gift were made, were executor of him that made such deed &c. or administrator of such goods &c. 13. Eliz. 10.

2 Whosoever doth recover any summes of money, for, or in the name of Dilapidations, by sentence, composition or other wise, and both not within two yeares after the receipt thereof truly employ the same upon buildings, and reparations, in respect whereof such money for Dilapidations shall be payed, shall forfeit double so much to the Duene, as shall be by him received, and not employed. 14. Eliz. 11. 1. Jac. 25. To continue untill the end of the first Session of the next Parliament.

Money received for dilapidations, shall be employed in reparations.

Disceipt.

If any Sergeant, Pleader, or other, doe any deceit in the Kings Court, or do consent thereunto, to deceive the Court, or party, & is thereof attainted, he shall be imprisoned a yeare & a day, & being a Councello, shall not any more be received to plead in the Kings Court for any man. And if he be any other then a Pleader, he shall be imprisoned as aforesayd. And if the trespass require a greater punishment, it shall be at the Kings pleasure. West. 1.3. Ed. 1.29.

3 A writ of Disceipt holdeth place, and is maintainable as well in place of garnishment, which toucheth plea of land where such garnishment is given, as in case of summons in a plea of land. 2. Ed. 17. Northamp.

Discontinuance of Proces.

By the death, or demise of the King that now is, or of any that hereafter shall be King or Duene of this Realme, any action, suit, bill, or plaint, that shall depend between party and party, in any of the Kings Courts, and other courts of Record, shall not in any wise be discontinued, or put without day: But the Proces, Pleas, Demures, and Continuances in enerie Action, Actions, suits, bills, or Plaints, which shall depend, shall stand good, & be prosecuted, & sued forth, in such maner and forme, & in the same estate, condition, & order, as if the same King or Duene had lived. And al maner of Judiciall proces, that shall be pursued in the time of the raigne of any other King or Duene, then raigne at the time of the pursuit of the original, or other former Proces, shall be made in the name of the King or Duene, that for the time shall raigne and be King or Duene &c. And variance touching the same Proces, betwene the names of the Kings or Duenes, shall not be material, as concerning any default to be objected therefore. 1. Ed. 6.7.

Death of the King shall not discontinue any suit.

2 Every Assise of Nouel disseisin, Assise of Mortdauncester, Iuris vtrum, & Arraignment, which shall be arraigned, commenced, or sued before any Justices of assise shall not be discontinued, or put without day by reason of death, new Commission, association, or not coming of the same Justices, or any of them, but shall stand good in the law, to all intents, the death, new commission, association, or not coming of the same Justices, or any of them in any wise notwithstanding. 1. E. 6.7.

Death, new commission, or association of Justices.

3 Albeit any demandant, or plaintife, in any action, bill, or suit, shall be made Duke, Archbishop, Parquelle, Earle, Vicont, Baron, Bishop, Knight, Justice of the one Bench, or the other, or Sergeant at Law, depending the same Action &c. yet no writ, action, or suit, shall for such cause be abatable, or abated, but shall remaine in like force, as the same was before. 1. Ed. 6.7.

Preferment of the plaintife to a name of dignitie.

4 Albeit any person being Justice of Assise, Justices of Gaole delivrie, or Justice of Peace, within any the Kings Dominions, or being in any other of the Kings Commissions whatsoever, shall be made Duke, Archbishop, Parquelle, Earle, Vicont, Baron, Bishop, Knight, Justice of the one Bench, or of the other,

One shall remaine Justice & Commissioner, though he be preferred to dignitie.

Discontinuance of Proces. Dispensations, Licences.

No Sheriffe
shalbe Justice
of peace.

or Sergeant at Law, or Shirife, yet he shall remaine Justice, and Commissioner, and have full power to execute the same, in like maner as he might or ought to have done before the same. 1. Ed. 6. 7. But no person exercising the office of a Shirife of any Countie, shall execute the office of a Justice of the Peace, by force of any Commission, or otherwise, in any Countie where he shalbe Shirife, during the time onely that he shall exercise the sayd office. 1. Ma. 8.

New Justice
may give
iudgement of
a Prisoner
found guilty
and reprieved.

5 In all cases, where any person shall be found guilty of any Treason, Murder, Manslaughter, Rape, or other Felonie whatsoever, for the which Iudgement of death should or may ensue, and shall be reprieved to prison without iudgement at that time given against him: Those persons that at any time shal by the Kings Letters Patents be assigned Justices to deliver the Gaole, where any such person found guilty shall remaine, shall have full power to give Iudgement of death against such person so found guilty and reprieved, as the same Justices (before whom such person was found guilty) might have done, if their Commission of Gaole delivery had remained in full force. 1. Ed. 6. 7.

No suit before
Justices shall
be discontinued
by a new
Commission.

6 No proces or suit made, sued, or had before any Justices of Assise, Gaole delivery, Oyer and Terminer, Justices of Peace, or other of the Kings Commissioners, shalbe discontinued by the making and publishing of any new Commission or association, or by altering of the names of the Justices of Assise, Gaole delivery, Oyer and Terminer, Justices of Peace, or other the Kings Commissioners, but the new Justices, and other Commissioners may proceed in euerie behalfe, as if the old Commissions and Justices and Commissioners had still remayned not altered. 1. Ed. 6. 7. 11. H. 6. 6. See Justices of peace 109.

Dispensations, Licences, Faculties, &c.

No Dispensations
from
Rome.

No person of the Kings Dominions shall pay any pensions, portions, or other Impositions, to the use of the Bishop, or Sea of Rome: Neither shall any person sue to the said Bishop, or Sea of Rome, for Licences, Dispensations, Impositions, Faculties, Grants, Rescripts, Delegacies, or any other Instruments, or writings, for any cause or matter, for the which any Licence, or other writing ec. heretofore hath bene used to be obtained at the Sea of Rome, or by authoritie thereof, or of any Prelat of this Realme. Nor for any manner of other Licences, Dispensations, ec. or other writings, that in causes of necessitie may be lawfully graunted, without offending of the holy Scriptures & Lawes of God: But euerie such Licence, Dispensation, Composition, Facultie, Grant, Rescript, Delegacie, Instrument, and writing, necessarie for the King, his heires or successors, and his people, and Subjects, upon the due examinations of the causes, & qualities of the persons procuring such Dispensations, ec. or other writings, shalbe graunted, had, and obtained from time to time within this Realme, and other the Kings Dominions, and not elswhere, in maner and forme following, and none otherwise. 25. H. 8. 27.

Dispensations
to the
King.

2 The Archbishop of Canturburie, and his successors, shall have power and authoritie from time to time, by their discretions, to give, graunt, and dispose by an Instrument vnder the Seale of the said Archbishop, vnto the king, his heires and successors, kings of this Realme, aswell all manner such Licences, Dispensations, Faculties, Compositions, Grants, Rescripts, Delegacies, Instruments, and all other writings, for causes not being contrarie or repugnant to the holie Scriptures and Lawes of God, as heretofore hath been accustomed to be obtained by the King, or his progenitors, or any of his or their Subjects, at the Sea of Rome, or of any person or persons by authoritie of the same: And all other Licences, Dispensations, faculties, compositions, grants, rescripts, delegacies, instruments, and

and other writings, in, for, and upon all such causes and matters as shall be convenient and necessarie to be had, for the honour and suretie of the King, his heires and successours, and the wealth of this Realme: So that the said Archbishop, or any of his successours, in no manner of wise shall graunt any Dispensation, Licence, Rescript, or other writing before rehearsed, for any cause or matter, repugnant to the Law of God. 25. H. 8. 21.

3 The said Archbishop, and his successours, after good and due examination by them had, of the causes and qualities of the persons procuring for Licences, Dispensations, Compositions, Faculties, Delegacies, Rescripts, Instruments, or other writings, shall haue authoritie by themselves, or by their sufficient and substantiall Commisarie, or Deputie, by their discretions from time to time, to grant and dispose by an instrument vnder the name and Seale of the said Archbishop, to the subiects of the King, his heires & successours, all maner Licences, Dispensations, Faculties, Compositions, Delegacies, Rescripts, Instruments, or other writings, for any such cause or matter, whereof heretofore such Licences, Dispensations, &c. or writings haue bene accustomed to be had at the See of Rome, or by authoritie thereof, or of any Prelat of this Realme. 25. H. 8. 21.

Licences and Dispensations to subiects.

4 The said Archbishop & his Commisarie shall not graunt any other Licence, Dispensation, Composition, Facultie, Writing, or Instrument, in causes vntwont, and not accustomed to be had & obtained at the Court of Rome, nor by authoritie thereof, nor by any prelat of this Realme, vntill the King, his heires or successours, or his or their Councell shall first be aduertised thereof, & determine whether such Licences, Dispensations, &c. or other writings in such causes vntwont, & not accustomed to be dispensed withall, or obtained, shall commonly passe as other Faculties, Dispensations, or other writings, shall or no, vpon paine that the grantoys of euery such Licence, Dispensation, or writing, in such causes vntwont, contrarie to this Act, shall make fine at the pleasure of the King, his heires & successours. And if it be thought by the King, his heires or successours, or his or their Councell, that Dispensations, Faculties, Licences, or other writings in such cases vntwont, shall passe, Then the said Archbishop, or his Commisarie, hauing Licence of the King, his heires or successours, for the same, by his or their bill assigned, shall dispencc with them accordingly. 25. H. 8. 21.

Dispensations to vntwonted causes.

5 So maner of Dispensations, Licences, Faculties, or other Rescripts or writings to be granted to any person or persons by vertue of this Act, by the said Archbishop, or his Commisarie, being of such impoortance, that the Taxe for the expedition thereof at Rome extended to the summe of iij. l. or above, shall be put in execution, vntill the same Licence, Dispensation, &c. be first confirmed by the King, his heires or successours, vnder the great Seale, and inrolled in the Chancerie in a Roll, by a Clerke to be appointed for the same. And this Act shalbe a sufficient warrant to the Lord Chancellor of England for the time being, or to the Keeper of the great Seale, to confirme in the name of the King, his heires or successours, the foresaid writings passed vnder the said Archbishops Seale, by Letters Patents in due forme thereof to be made vnder the said great Seale, remitting as well the said writing vnder the Archbishops Seale, as the said confirmation vnder the great Seale, to the parties from time to time procuring the same. 25. H. 8. 21.

Dispensations confirmed by the great Seale.

6 All such Licences, Dispensations, Faculties, Rescripts, and other writings, for the expedition of the which the said Taxe to be paid at Rome was vnder iij. l. shall passe onely by the Archbishops Seale, and shall not of any necessitie be confirmed by the great Seale: vntlesse the procuroys of such Licence, Facultie, or Dispensation, desire to haue them so confirmed, in which case they shall pay for the said great Seale to the vse of the King, his heires and successours, v. shillings, and not above, ouer and above such taxe, as shalbe hereafter limited, for the making, writing,

Dispensations without confirmation.

Dispensations, Licences, Faculties, &c.

registering, confirming, and inrolling of such Licences, Confirmations, and writings, under the said Lare of iij. l. 25. H. 8. 21.

7 Every such Licence, Dispensation, Composition, Faculty, Rescript, & writing, for such causes as the tere was wont to be iij. l. 2. above, so granted by the Archbishop, and confirmed under the great Seale, And all other Licences, Dispensations, Faculties, Rescripts, and writings, hereafter to be granted by the Archbishop, by vertue of this Act, whereunto the great Seale is not limited of necessitie to be put (by reason that the tere of them is under iij. l.) shalbe allowed and admitted good in Law, in all places, Courts, and iurisdiccions, as wel Spiritual as Temporal, within the R. Dominions, and as beneficiall to the parties obtaining the same, as they should haue been if they had bene obtained, with all things requisite, of the Sea of Rome, or of any other person by authoritie thereof, without any reuocation, or repeale hereafter to be had of any such Licences, Dispensations, &c. And all children procreated after solemnization of any mariages hereafter to be had or done by vertue of such Licences, or Dispensations, shall be admitted, reputed, and taken to be legitimat, in all Courts, as well Spiritual as Temporal, and in all other places, and shall inherit the inheritance of their parents and auncestors, with in all the R. Dominions, according to the lawes and customes of the same. And all acts to be done, had, or executed, according to the tenor of such Licences, Dispensations, Faculties, writings, or other Instruments, to be made or granted by authority of this Act, shall be firme, permanent, and remaine in force: Any forrein Lawes, Decrees, Canons, Inhibitions, Custome, Prescription, &c. to the contrarie notwithstanding. 25. H. 8. 21.

Licence to
marie.

Acts done by
Licence, be
lawfull.

Clerks of the
Faculties, &c.

8 The said Archbishop, and his successors, shall haue power and authoritie to ordaine, make, and constitute a Clerke, which shall write and register every such Licence, Dispensation, Faculty, or other Instrument to be granted by the sayd Archbishop, and shall find parchment, ware, and sliken laces convenient for the same, and shall take for his paynes such summes of money as shall be hereafter limited. And the King, his heires and successors, by their Letters Patents under the great Seale, shall depate and constitute one sufficient Clerke, being learned in the course of the Chauncery, which shall be attendant vpon the Lord Chauncelour, or the Lord Keeper of the great Seale for the time being, and shall make, write, and inroll the Confirmations of all such Licences, Dispensations, Instruments, and other writings, as shall be thither brought under the Archbishops Seale, there to be confirmed and inrolled: And also shall intitle in his Bookes, and inroll of record such other writings as thither shall be brought under the Archbishops Seale, not to be confirmed, taking for his paynes such reasonable summes of money as hereafter be limited. And as well the sayd Clerke appoynted by the sayd Archbishop, as the sayd Clerke appoynted by the R. his heires or successors, shall subscribe their names to every such Licence, Dispensation, Faculty, or other writing, that shall come to their hands to be written, made, granted, sealed, confirmed, certified, and inrolled, by authoritie of this Act, in forme as is before rehearsed. 25. H. 8. 21.

Two bookes
of Tares.

9 There shalbe two Bookes drawne and made of one tenor, in which shall be contained the Tares of all customable Dispensations, Faculties, Licences, and other writings wont to be sped at Rome, which Bookes, and every lease of those Bookes, and both sides of euerie lease, shall be subscribed by the Archbishop of Canterbury, the Lord Chauncelour of England, the R. Treasurer of England, and the two chiefe Iustices of both Benches for the time being: To the which Bookes all suits for Dispensations, Faculties, Licences, & other writings afore rehearsed, shall haue recourse, if they require it. And one of the said Bookes shall remayne in the hands of him which shall be appoynted to be Register, and Scribe of the sayd Dispensa-

Dispensations, Faculties, and Licences vnder the said Archbishop of Canterbury, in soyme as is aforesaid: And the other booke shall remaine with the Clerke of the Chauncerie, which by the King, his heires or successours, shall be appointed, as is before rehearsed: Which Clerke of the Chauncerie shall alwaies note, and intitle particularly and daily in his booke ordained for that purpose, the number and qualite of the Dispensations, Faculties, Licences, and other Rescripts, and writings, which shall be sealed onely with the Seale of the said Archbishop: and also which shall be sealed with the said Seale, and confirmed with the great Seale, in soyme as is before said, that all fraud and concealement in this behalfe may be auoyded. 25. H.8.21.

10 No man suing for Dispensations, Faculties, Licences, or other Rescripts, or writings, which were wont to be sped at Rome, shall pay any moze for their Dispensations, &c. than shall be contained, taxed, and limited in the said Duplicat booke of Taxes: Whely Compositions excepted, of which, being arbitrarie, no tare can be made: Wherfore the tare shall be set by the Archbishop of Cantuarie, and the Lord Chauncello of England, or the Lord Keeper of the great Seale for the time being. And such as shall exact, or receiue of any suite moze for any Dispensation, Facultie, or Licence, than shall be contained in the said booke of Taxes, shall forfeit ten times so much as he shall so extorsionally receiue, and exact, to the King, his heires and successours, and the King to be recovered by A. B. or P. wherein no C. D. or W. shall be admitted. 25. H.8.21.

The King of Dispensations.

Extortion in the Office.

11 The tare or summe appointed to be paid for euery such Dispensation, Licence, Facultie, Rescript, or other writing graunted by this Act, shall be imployed and ordered, as hereafter ensueth, viz. If the tare extend to foure pounds, or above, by reason whereof the Dispensation, Licence, Facultie, Rescript, or writing which shall passe by the Archbishops Seale, must be confirmed by the appension of the great Seale: Then the said tare extending to foure pounds, or above, shall be diuided into thre parts, whereof two shall be perceiued by the said Clerks of the Chauncerie (to be appointed as is aforesaid) to the vse of the King, his heires and successours, and to the vse of the Lord Chauncello, or the Keeper of the great Seale for the time being, and to the vse of the said Clerke, in such wise as is hereafter declared: And the third part shall be taken by the said Clerke of the Archbishop, to the vse of the same Archbishop, and his Commissarie, and his said Clerke, and Register, in such sort as hereafter shall be limited: That is to say, the said two parts shall be diuided into foure parts, of the which, thre parts shall be taken to the vse of the King, his heires and successours, and the fourth part shall be diuided into thre parts, whereof the Lord Chauncello of England, or Lord Keeper of the great Seale for the time being, shall haue two parts, and the said Clerks of the Chauncerie the third part for his paynes, trauell, and labour, that he is to doe by vertue of this Act: And the said third part of the whole tare appointed to the Archbishop and his Officers, shall be diuided into thre parts, whereof the Archbishop shall haue to his vse two parts, and his Officers shall haue the third part thereof: Of the which third part to be diuided into two parts, the said Clerke, or Register, which shall find parchment, ware, and silke, and shall deuise and write the said Dispensations, Licences, Faculties, &c. and register the same, shall haue for his said labour, and for receiuing and paying of the summes of money that shall come to his hands for Dispensations, Licences, Faculties, &c. the one moitie thereof: and the Commissarie of the said Archbishop appointed to seale the said Dispensations, Licences, &c. shall haue the other part. And if the tare be vnder foure pounds, and not vnder foure shillings, then the said tare shall be diuided into thre parts, as is aforesaid, whereof the King, his heires and successours, shall haue two parts thereof, abating thre shillings foure pence, which shall be to the Clerke of the Chauncerie, for subscribing, in-

How the tare shall be diuided.

Dispensations, Licences, Faculties, &c.

tituling, and inrolling the said Dispensations, Licences, &c. and receiving of the R. money so taxed: And the Archbishop and his Officers shall have the third part: which third part shall be divided into two parts, whereof the Archbishop shall have one entirely to himselfe: his Scribe and Commissarie shall have the other part thereof, equally to be divided among them, for their costs and pains in that behalfe. And if the tare be under xl. s. and not under xxvj. s. viij. d. the same tare shall be divided into two parts, whereof the one part shall be to the King, his heires and successors, deducting thereof two shillings for the Clerke of the Chancery, for his paines, as is aforesaid: And the other part shall be to the said Archbishop and his officers: which other part shall be divided into two parts, whereof the Archbishop shall have one, and his Scribe and Commissarie shall have the other, equally divided amongst them. And if the tare be under xxvj. s. viij. d. and not under xx. s. the same shall be divided into two parts, whereof the King, his heires and successors, shall have the one part entirely, abating y. shillings thereof to the said Clerk of the Chancery: and the Archbishop and his officers shall have the other part: and the same other part shall be divided into three parts, whereof the Archbishop shall have one, his Commissary the second, and his Scribe or Register the third. And in case the tare be under xx. s. the same shall be perceived to the use of the said Commissary, Clerk of the said Archbishop, and Clerk of the Chancery, to be equally divided amongst them, for their paines and labour. 25. H. 8. 21.

Dispensations
by other Prelates.

12 Provided alwayes, That this Act shall not be prejudiciall to the Archbishop of Yorke, or to any Bishop or Prelate of this Realme: But they may lawfully (notwithstanding this Act) dispence in all cases in which they were wont to dispence by the Common Law or Customs of the Realme, before the making of this Act. 25. H. 8. 21.

Dispensations by the
guardian of
Spiritualities

13 If it happen the Sea of the Archbishopricke of Canterbury to be voyd, then all such manner of Licences, Dispensations, Faculties, Instruments, Rescripts, and other writings which may be granted by vertue of this Act, shall (during the vacation of the same Sea) be had, done, and granted, under the name and Seale of the Guardian of the Spiritualities of the said Archbishopricke for the time being, according to the tenor and forme of this Act, and shall be of like force and effect as if they had bene granted under the name and Seale of the Archbishop for the time being. 25. H. 8. 21.

Archb. denieth
to grant Dis-
pensations.

14 If the said Archbishop, or Guardian of Spiritualities for the time being, refuse or denie to graunt any Licences, Dispensations, Faculties, or other writings, which they be authorized to doe by vertue of this Act, in such manner and forme as is before remembred, to any person or persons that ought upon a iust, good, and reasonable cause to haue the same, by reason whereof this Act, by their wilfulnesse, negligence, or default, should take none effect: Then the Lord Chawncelloz of England, or Lord Keeper of the great Seale for the time being, upon any complaint thereof made, shall direct the Kings writ to the said Archbishop, or Guardian, denying or refusing to graunt such Licences, Dispensations, or &c. enioyning him by the said writ, upon a certaine paine therein to be limited by the discretion of the said Chawncelloz, or Lord Keeper &c. that he shall in due forme graunt such Licence, Dispensation, or &c. according to the request of the procurators of the same: Or else signifie to the King, his heires or successors, in the Court of Chancery, at a certaine day, for what cause he refused and denied to graunt such Licence, Facultie, or Dispensation. And if it shall appeare to the said Chawncelloz, or Lord Keeper &c. upon such certificat, that the cause of refusall or deniall of graunting such Licence, Facultie, or Dispensation, was reasonable, iust, and good: That then it so being proued by due search and examination of the said Chawncelloz or Lord Keeper, to be admitted and allowed: And if it shall appeare upon the said Certificat, that the Archb-
shop,

shop, or Cardian, of wilfulnesse in contemning the due execution of this Act, without a iust and reasonable cause, refused, or denied to graunt such Licence, Facultie, or Dispensation: Then the King, his heires or successours, being thereof informed, after due examination had, that such Licences, Faculties, or Dispensations, may be graunted without offending the holie Scriptures, and Lawes of God, shall haue authoritie in euery such case, for the default, negligence, and wilfulnesse of the sayd Archbishop or Cardian, to send his writ of Iniunction vnder the great Seale, commanding the Archbishop, or Cardian (that so shall denie or refuse to graunt such Licence, Facultie, or Dispensation) to make sufficient graunt thereof, according to the effect of this Act, by a certaine day, and vnder a certaine paine in the said writ to be contained, and to be limited by the King, his heires or successours Kings of this Realme. And if the said Archbishop, or Cardian, after the receit of the said writ, refuse, or denie to grant such Licences, Faculties, or Dispensations, as shall be enjoyned him by vertue of the said writ, and shew and proue before the King, his heires or successours, no iust or reasonable cause, why he should so doe: Then the said Archbishop, or Cardian, which shall so refuse to put this Act in execution, according to the said writ of Iniunction, shall suffer, lose, and forfeit to the K. his heires and successours, such paine and penaltie as shall be limited and expressed in the said writ of Iniunction. And ouer that, it shall be lawfull to the K. his heires and successours, for euery such default, and wilfulnesse of the said Archbishop, or Cardian, to giue power by Commission vnder the great Seale, to two such Spirituall Prelats or persons to be named by the King, &c. as will doe, and grant such Licences, Faculties, and Dispensations, refused, or denied to be granted by the said Archbishop, or Cardian, in contempt of this Act. 25. H. 8. 21.

15 The said two Spirituall Prelats, or persons, to whom in such cases any such Commission shall be directed, shall haue authoritie to graunt euery such Licence, Facultie, Dispensation, Instrument, and other writing, so refused to be graunted by the said Archbishop, or Cardian, for the tyme being, by an Instrument vnder their Seales, taking like fees and charges for the same, as is before rehearsed, and not above, vnder the paynes aforesayd remembred. And euery such Licence, Facultie, or Dispensation, for any causes or matters, wherunto any confirmation vnder the Kings great Seale is appointed by this Act to be had in maner and forme aboue declared, shall be had and obtained accordingly. And such Licences and Confirmations shall be had for like fees and charges as they are aboue specified, and not above, vnder the paynes aboue mentioned. And euery such Licence, Facultie, Dispensation, and other writing to be graunted by the said Prelats, or persons to be assigned by the K. or &c. as is aforesayd, shall be of as good value, strength, and effect, and as beneficiall to the parties procuring the same, as if they had bene made, graunted, and obtained vnder the name and seale of the Archbishop. 25. H. 8. 21.

Dispensations granted by others.

16 Provided alwayes, That this Act, nor any thing or things therein contained, shall be hereafter interpreted or expounded, that the K. his Nobles, & Subiects, intend by the same to decline or vary from the Congregation of Christs Church, in any things concerning the verie Articles of the Catholike Faith of Christendome, or in any other things declared by holie Scripture, and the word of God necessarie for their saluation: but onely to make an ordinance by policies necessarie for good conseruation of this Realme in peace, vnitie, and tranquillitie, from rapine & spoile, insuing much the old ancient customes of this Realme, in that behalfe: Not minding to seeke for any relieves, succours, or remedies, for any wo:ldly things, and humane Lawes, in any cause of necessitie, but within this Realme, at the hands of the K. his heires & successours, K. of this Realme, which haue, and ought to haue an Imperiall power and authoritie in the same, and not obliged in any wo:ldly causes to any other superiour. 25. H. 8. 21. 1. Eliz. 1. S. Ecclesiasticall &c. 19.

The Catholike Faith continued.

Distresse.

Distresse.

No distresse
shalbe diuen
forth of the
hundred where
it was taken.

No distresse
shalbe imposi-
ded in severall
places.

Poundage
money.

In what pla-
ces distresse
shall not be
taken.

A distresse im-
pounded in a
Castle.

Damages for
a wrongfull
distresse.

None but the
lord shalbe
distrained to
come to a
Court.

The Lord
shal not make
fine for distrai-
ning his te-
nant.

Whosoeuer shall diue any Distresse out of the Hundred, Rape, Wapen- take, or Lath, where it is taken (except it be to a Pound Duert within the same Shire, being not above three miles distant from the place where it is taken) or shal impound in severall places, goods distrained for any cause at one time, where by the owner shall be constrained to sue severall Replevies for the deliuerie of the same distresse, shall forfeit to the P. griued for every such offence v. l. & treble damages. 1. & 2. P. & M. cap. 12. No man shall cause a distresse to be diuen forth of the Countie wherein it was taken. Marlb. 52. H. 3. 4. West. 1. 3. E. 1. 16.

2 Whosoeuer doth take for keeping in a pound, poundage, or the impounding of any whole distresse, above iiij. s. or doth take so much where lesse hath usually bin taken, shall forfeit to the partie griued v. l. and so much as he taketh over the sayd iiij. s. &c. 1. & 2. P. & M. 12.

3 No man shall for any cause distraine out of his fee, in the Kings highway, or common street: But the King and his Officers hauing speciall authoritie so to do. Marlb. 52. H. 3. 15. West. 1. 3. E. 1. 16. Neither shall any man distraine in the ancient fees of the Church: but in such possessions as Ecclesiastical persons haue purchased of late, distresses may be taken. Articuli Cleri. 9. E. 1. 9.

4 If any man distraine another man cattel, and diue them into a Castle or for- tresse, and there hold them (being solemnly demanded by the Sherife or Bailife) against gages & pledges, so that the Sherife or Bailife cannot make deliuerance of them to the owner, the Sherife or Bailife taking with him the power of the Countie, or Bailiwick, shall beat downe the Castle, & the plaintife shall recouer double damages for all the losse which he hath received by his cattel, hinderance of his geynage, or in other manner (after the first demand of the cattel made by the Sherife or Bailife) against him that toke the cattel, or against his Lord, if he be not able to answer them. West. 1. 3. E. 1. 17. If any person great or smal wil not permit the distresses which he hath taken to be deliuered by the R. Officers, according to the law & custome of the Realme: He will not suffer Summons, Attachments, or Executions of Judgements giuen in the R. Court, to be made, he shall be punished in the same maner, as one which will not suffer himselfe to be iustified by the law, & that according to the quantitie of his offence. Marlb. 52. H. 3. 3. S. Returne &c. 5.

5 If any person take reuenge or distresse, of his own authoritie, without award of the R. Court, and thereof be convicted: He if one neighbor take a distresse of another (whereby he hath received losse) without award of the R. Court, he shall make fine according to the quantitie of the trespassse, and neuerthelesse sufficient amends shalbe made to them which haue received losse by such distresse. Marlb. 52. H. 3. 1.

6 None shall distraine any to come to his Court, which is not of his fee, or vpon whom he hath not iurisdiction by reason of his Hundred or Bailiwick: Neither shall any man take a distresse without his fee, or the place where he hath iurisdiction, or Bailiwick, vpon pain to make fine according to the quantitie of the offence. Marlb. 52. H. 3. 2. Neither shall any man distrain his freholder to answer for his frehold, or any thing thereunto belonging, without the Kings writ. Marlb. 52. H. 3. 22.

7 If any distraine his tenant for seruises and customes, which he claimeth to be due vnto him, or for any other thing, for the which the Lord of the fee hath cause to distraine, and after it is found that the tenant doth not owe him any such, the Lord shall not therefore make fine, if he do suffer the distresse to be deliuered according to the law and custome of the Realme, but shall be amerced, and the tenant shall recouer his damages against him. Marlb. 52. H. 3. 3.

8 Distresses shalbe reasonable, according to the quantity of the debt or damages, and not grievous, and he that taketh unreasonable & excessive distresses, shall be amerced. 51.H.3. Marlb. 52.H.3.4. 28.Ed.1.12. S.Accomp.to the King 52.

Excessive
distresse.

9 No distresse shalbe made but by Bailifes which be knowne and swozne, & they which doe otherwise, and thereof be convicted, shall answer to the parties grieved their damages, if they thereof doe bying their action of Trespasse, and also shall be grievously punished by the King. West.2.13.Ed.1.37.

Distresse by
Bailifes know-
nen & swozne.

10 If the Sherife, or any other do distraine another mans beasts, they whose the cattell be, may give them meat of their own, without disturbance, or paying any thing therfore, whyles they do remaine in the pound. 51.H.3. de district. Scaccarij.

The owner
may feed his
cattell which
be impounded

11 No man shal be distrained by his beasts which till his land, nor by his shop, for the la. or any other persons debts, so long as one may find another distresse, or other cattels sufficient wherof to louse the debt or thing in demand, except it be the impounding of beasts, which a man findeth doing hurt, according to the custome of the Realme. 51.H.3. de district. Scaccarij. 28.Ed.1.12.

Plough cattell
and sheep shall
not be distrai-
ned, if &c.

12 No cattell, nor other distresse taken for the Kings debt, nor for any other thing, shall be sold or given within fiftene dayes after the taking thereof. 51.H.3. de district. Scaccarij. But Collectors appointed for the gathering of money towards the repaire of any decayed Bridge, have power to distraine any person which shall be tared, and refuse to pay towards the same, & to sell the distresse. 22.H.8.5. And every Receivor, Bailife, and Collector of the la. lands, &c. for lacke of payment of the rents, issues, and revenues within their Offices, may distraine & sell the distresse. 7.Ed.6.1. And the Surveyors of wayes in every Parish may leuie the forfeitures by distresse, and sell the distresse. 18.Eliz.9. And it shalbe lawfull for the Constables and Headboroughes of any Towns, Parish, Village, or Hamlet, to distraine the goods of any inhabitants, which obstinately refuse to pay such ratable taxation and assessment which shal be made upon him for his part and portion of money recoverd against the Hundred upon the Statute of Wy and Crie, and to sel the distresse. 27.Eliz.13.

Selling of
distresse.

2 Bridges 3.

I accomp.to
the la. 14.

Highwayes
17.

Wy & Crie.

1 Every Sherife shall appoint foure Deputies to make Repleuies, and deliuer distresses. S.Sherifes 22.

2 Where a man shal distraine out of his fee, for arrearages of rents. S.Rents 1.2.3

Dower.

A Widow after the death of her husband, incontent and without any difficulty shall have her marriage and inheritance, and shall give nothing for her Dower, her marriage, or her inheritance, which inheritance her husband and she held the day of his death. And she shall tarie in the chiefe house of her husband forty dayes after his death, within which dayes her dower shal be assigned her (if it were not assigned her before) or that the house be a Castle, & if she depart from the Castle, then a competent house shalbe forthwith provided for her, in the which she may honestly dwell untill her dower be to her assigned, and she shall have in the meane time her reasonable estours of the common, and for her dower shalbe assigned the third part of all the lands which were her husbands in his life time, except she were endowed of lesse at the Church daye. Mag. Chart. 9.H.3.7. And if any do desoyce from a widow her dower, or Quarentine, of the tenements wherof her husband died seised, and after the same widow doth by suit recover the same, the desoyceor shall yeld to the same widow her damages. viz. the value of her whole dower from the time of her husbands death unto the day of her recoverie by Judgement, and also the desoyceor shalbe amerced at the Kings pleasure. Mert. 20.H.3.1.

A woman shal
have her
Quarentine.

2 If a wife do willingly forsake her husband, and go away, and continue with her

Dower.

**Elopement
with an Adul-
terer, fozt. of
Dower.**

her Adulterer, she shall lose fo: ever her action to demand her Dower, which she ought to haue of her husbands lands, if she be thereof conuict (except her husband will vpon his owne good will, and without compulsion by Ecclesiasticall Law, reconcile her, and suffer her to dwell with him) In which case her action shall be restored againe vnto her. West. 2. 13. Ed. 1. 34.

**The wife en-
dowed, though
her husband
be attainted.**

3 Albeit any person shall be attainted, conuicted, o: outlawed of any misprision of Treason, Murder, o: Felonie whatsoeuer, yet every woman that shall be wife of the person so attainted, shall be endowable, & enabled to demand and enioy her dower, in like maner as though her husband had not bene attainted, conuicted, o: outlawed. 1. E. 6. 12. But the wife whose husband shall be attainted of any Treasons whatsoeuer they be, shall in no wise be receiued to demand o: haue dower of any the lands, tenements, o: hereditaments, of any person attainted of Treason, during the sayd attainder in his fo:ce: Any thing befoze mentioned to the contrarie notwithstanding. 5. Ed. 6. 11.

**A woman that
not haue both
ioyniture and
dower of her
husbands
lands.**

4 If any persons doe purchase, o: shall haue estate conueyed in any lands, tenements, o: hereditaments, vnto them, and to their wiues, and to the heirs of the husband, o: to the husband & to the wife, & to the heirs of their two bodies begotten, o: to the heirs of one of their bodies begotten, o: to the husband and to the wife fo: terme of their liues, o: fo: terme of life of the said wife: & if any such estate o: purchase of any lands, &c. shall be made to any husband, and to his wife, in soyme aboue expessed, o: to any other person o: persons &c. to the vse of the said husband o: wife, o: to the vse of the wife, as is aboue rehearsed fo: the ioyniture of the wife: then in euery such case, euery woman married hauing such ioyniture made, shall not claime no: haue title to haue any dower of the residue of the lands, tenements, o: hereditaments, that at any time were her sayd husbands, by whom she hath any such ioyniture, no: shall demand no: claime her dower against them that haue the lands and inheritance of her said husband: But if she haue no such ioyniture, then she shall be admitted to haue and demand her dower by writ of Dower, after the course of the Common lawes. 27. H. 8. 10.

**If a womans
ioyniture be e-
uicted she shall
be endowed.**

5 But if any such woman be lawfully expelled o: euicted from her said ioyniture, o: from any part thereof, without any fraud o: couin, by lawfull entrie, action, o: by discontinuance of her husband, then she shall be endowed of as much of the residue of her husbands lands, tenements, o: hereditaments, whereof she was befoze dowable, as the same lands so euicted &c. shall extend vnto. 27. H. 8. 10.

**A woman may
chuse whether
she will take a
ioyniture assu-
red after mari-
age, o: her
dower.**

6 Provided, That if any wife shall haue any lands, tenements, o: hereditaments, vnto her giuen and assured after marriage, fo: terme of her life, o: otherwise in ioyniture (except the same assurance be to her made by Act of Parliament) and the sayd wife after that fortune to ouerliue the same her husband, in whose time the said ioyniture was assured vnto her, then the same wife may at her libertie after the death of her husband, refuse to take the lands so to her giuen during the conuerture in ioyniture (except &c.) and thereupon demand and take her dower by writ of Dower, o: otherwise, according to the Common Law, of and in all such lands, tenements, and hereditaments, as her husband was seised of any estate of inheritance at any time during the conuerture. 27. H. 8. 10.

**Dower vnde
nihil habet.**

7 A writ of Dower vnde nihil habet, shall not be abated by the tenants exception, fo: that the woman hath receiued her dower of another man, befoze the writ purchased, if he cannot shew that she hath receiued part of himselfe, & in the same town, befoze the writ purchased. West. 1. 3. Ed. 1. 48.

**A woman en-
dowable of
lands recou-
red against the
husband.**

8 If a man being impleaded of a tenement doth plainly yield it to his aduersarie, o: doth lose it by default, in both the said cases after the death of the husband, the wife shall be allowed to bring her writ of Dower: And the tenant which recouered by default in the suit commenced against him, shall shew his right that he hath

in the land, according to his former writ, whereby he recovered against the husband. And if he can shew that the womans husband had no right in the lands in demand, nor any other but himselfe, he shall go quit, and she shall recover nothing by her writ of Dower. But if he cannot shew it, the woman shall recover her Dower. West. 2.

13. E. 1. 4.

9 If a woman which is not indowable of the inheritance of an heire within age, doe purchase a writ of Dower against the Gardein, & the Gardein by fauor to the woman doth yeld her dower, or maketh default, or defendeth the plea so faintly by collusion, whereby the dower is adiudged to the woman, in prejudice to the heire: The same heire when he cometh to full age, shall haue an action to demand the seisin of his auncestors against the same woman, as he may haue against any other deforcious: yet the woman shall haue her exception saved against the demandant, to shew that she had right to her dower, which if she can verifie, she shall goe quit, and retain her dower, and the heire shall be amerced according to the discretion of the Iustices: But if not, the heire shall recover his demand. West. 2. 13. Ed. 1. 4.

The heire recouereth the womans dower.

1 For dowment by the custome of Gavelkind, and what cause of forfeiture thereof. S. Prerog. 16.

2 The King shall haue the reuerfion, if tenant in dower dye, during the minority of his Ward. S. Wils 9.

3 For admeasurement of dower by the gardein or heire. S. Admeasurement 1.

4 Where the Kings tenant in chiefe doth intrude and dye, his wife shall not be endowd. S. Prerog. 13. Linerie 2.

5 The grantee or committee of a Ward, shall not haue aid of the King in a writ of Dower. S. Aid &c. 2.

6 Where a woman aliening her dower, or other particular estate, he in the reuerfion may enter, or haue his action. S. Women 1. 2.

7 A woman shall haue her dower, though her husband be attainted of certaine offences made felonie or treason by Statute. S. Treason 5. 6. Rome 1. Sheepe 2. Plague 4. Matrimonie 10. Coniuration 3.

8 Presentation to a Church by an vsurper during the estate of tenant in dower, shall not preiudice him in the reuerfion. S. Aduowson 1.

9 A woman consenting to a Rape shall forfeit her Dower. S. Rape 3.

10 Where view shall not be granted in a writ of Dower. S. View 1.

Draperie.

Every Cloth of Ray to be measured by the list, shall containe in length xxviij. Cloth of Ray. yards, and being watered and colwed xxij. yards, and in breadth vij. quarters: and the halfe Cloth according to that rate, upon paine of forfeiture of the same. 2. E. 3. 14. 47. E. 3. 1. 7. H. 4. 10. 13. H. 4. 4.

2 No peece of plaine white straits, or pinned white straits made in the Countie of Devon and Coznowal, shalbe made aboue xij. pounds in weight, xiiij. yards in length, or one yard in breadth, upon paine of forfeiture of the same, or the value thereof. 27. Eliz. 18. S. Br. 57.

3 Every peece of Lancashire Cotton, being sufficiently milled or thicked, cleane Lancashire scoured, well wrought, & fully dyed, shal weigh xxj. pounds at the least, & contayne Cotton. in length xxj. goads, or twenty at the least, & in breadth at the most thre quarters of a yard, or within one naile of thre quarters of a yard at the most, upon paine to forfeit for every pound weight lacking vnder thre pounds, xij. s. and for every pound lacking aboue liij. s. to the li. s. and 3. s. 8. El. 12.

4 Every peece of Lancashire frizes or Rugges, being thicked and fully dyed, Lancashire shall weigh xliij. pounds at the least, and shall containe in length betwixt xxiij. frizes, Rugges and

Draperie.

and xxxvj. yards, and shal containe in breadth at the most three quarters of a yard, or within one nail of three quarters at the least, and not to be strained upon the Tenters above one nail in breadth, upon paine of forfeiture *vs supra* &c. If any of the said Cottons, Frizes, or Rugges shall be of any greater length: When every yard so exceeding shall weigh after such rate as aforesaid, upon paine of forfeiture for every yard not weighing after the rate xij. pence. 8. Eliz. 12.

**Broad cloth
in Kent, Suffolke,
& Beding.**

5 Every broad Cloth made within Kent, Suffolke, or the Towne of Beding, or elsewhere of like making as the Clothes made there shall be of, shall containe in length at the water, every pice being thorough wet, betwixt xxvij. and xxx. yards of measure that now is customably used, & in breadth 7. quarters within the lists by the whole length of the same cloth, the lists to be of like making, and alike, as they have heretofore bin used. And every pice of the said clothes being well scoured, thicked, milled, and fully dyed, shall be in weight 86. l. at the least. 5. Ed. 6. 6. & 5. P. & M. 5. S. Br. 129. & 162.

**Long wo-
cesters.**

6 All and every white Cloth made in the citie of Worcester, commonly called Long Wocesters, & all like clothes of like making made within the city of Couentry, or elsewhere, shall containe in length being wet betwixt 29. and 31. yards the pice, & to every yard one ynch of the Standard, and shalbe of ½ breadth above specified by all the length of the cloth, & listed as hath bin accustomed, & being well scoured, thicked, milled, and fully dyed, shall weigh 75. l. at the least. 5. Ed. 6. 6. 4. & 5. P. & M. 5. S. Br. 130. 162. AL.

**Coloured
clothes.**

7 All & every coloured cloth made in the said cities of Couentry & Worcester, or elsewhere of like making, shalbe of the like length & breadth, as is last mentioned, & be listed as aforesaid, & being well scoured, thicked, & fully dyed, shall weigh 80. l. at the least. 5. E. 6. 6.

**Short wo-
cesters.**

8 All and every white cloth, called short wocesters, made within the said citie or county, or elsewhere of the same sort, shall containe in length being wet, betwixt 23. and 25. yards, yard and ynch of the rule, and shalbe of the breadth throughout, and by all the whole cloth, and listed, according to the aunient custome, and being well scoured, thicked, and fully dyed, shall weigh 60. pounds the pice at the least. 5. Ed. 6. 6.

**Coloured long
clothes in
Suffolke,
Norfolke, and
Essex.**

9 All and every coloured long cloth made within Suffolke, Norfolke, & Essex, or elsewhere of like sort, shal containe in length wet betwixt 28. and 30. yards, yard and ynch of the rule, and shal be in breadth by quarters of the yard within the lists at the least throughout the whole cloth, & listed as hath bin accustomed, & being well scoured, thicked, milled, and fully dyed, shall weigh 76. l. at the least. 5. Ed. 6. 6. 43. El. 10. S. Br. 131. 162. AL.

**Coloured
short clothes.**

10 All and every coloured short cloth made within any of the said shires, or elsewhere of like sort, shal containe wet betwixt 23. and 25. yards, yard and ynch of the rule, and shall be in breadth six quarters and a halfe being wet, throughout and by the whole cloth, and being fully scoured, milled, thicked, & dyed, shall weigh 11. l. the pice at the least. And every course short cloth to be made within ½ shire of Kent not exceeding the price of vij. l. shalbe of the same breadth. 5. E. 6. 6. 4. & 5. P. & M. 5. 43. El. 10. S. Br. 132. 162. AL.

Handy warps

11 All and every coloured cloth made within the said shires of Suffolke, Norfolke, and Essex, or elsewhere of like sorts, commonly called handywarps, of what length they shall happen to be: And all whites made in the said shires, or elsewhere, as Cockfall whites, Plainstows, & other, being handywarps, of what lengths soever they shalbe, shal containe in breadth by quarters, and be listed, as aforesaid, and being well scoured, milled, thicked, and fully dyed, shall weigh by the yard vij. l. and a halfe at the least. 5. E. 6. 6. 4. & 5. P. & M. 5. S. Br. 134. 162. AL.

12 All Whites & Reds made in the counties of Wiltsheire, Gloucester, and Somerset,

merfet, or elfewhere of like making, and all other whites made in any other part of this Realme not before remembered, shall containe in length being thorough wet, betwixt rrbj. and rrbij. yards (and being thoroughly wet, of quarters & a halfe with in the lifts, without and lifted) and being scoured, thicked, milled, and fully dyed, shall weigh every pce being white lxx. and being coloured, lxx. l. at the least. 5. E. 6. 4. & 5. P. & M. 5. S. Br. 137. & 162.

Whites and reds.

13 All broad Plunkets, Azures, Blewes, and other coloured cloth, made in the Shires of Wiltshire, Gloucester, & Somerset, or elfewhere of like making, shall containe being wet, betwixt rrbj. and rrbij. yards, yard and inch of the rule (and being thorough wet, six quarters and a halfe at the least. 35. El. 9.) and being well scoured, thicked, milled, and fully dyed, shall weigh lxxij. l. at the least. 5. E. 6. 6. 4. & 5. Ph. & M. 5. S. Br. 135. & 162.

Plunkets, Azures, Blewes

14 All Kerfies called Ordinaries, shall containe in length betwixt rrbj. and rrbij. yards, yard and inch, and being well scoured, milled, thicked, dyed, and fully dyed, shall weigh lxx. l. at the least. And all Kerfies called Doyting Kerfies, shall containe in length at the water betwixt rrbj. and rrbij. yards, and being well scoured &c. ready to be thewed, shall weigh lxxj. l. the pce at the least. 5. E. 6. 6. 4. & 5. P. & M. 5. S. Br. 104. 105.

Ordinarie Kerfies.

Doyting Kerfies.

15 Kerfies called Ordinarie Kerfies, shall not exceed the length of rrbij. yards to be measured by the yard and inch, and every ordinary Kerfie of the length of rrbij. yards as aforesaid, being well scoured, thicked, milled, dyed, & fully dyed, shall weigh twentie & eight pounds, and one halfe pound at the least. And Kerfies called Doyting Kerfies shall not exceed the length as aforesaid: and every Doyting Kerfie of the length of twenty four such yards as aforesaid, being well scoured, thicked, milled, dyed, and fully dyed, shall weigh two and thirtie pounds, and one halfe pound at the least. And every Kerfie of a shorter length than rrbij. such yards as aforesaid, shall weigh proportionably to the aforesaid weight, that is to say, Every ordinary Kerfie after the rate of one pound & three ounces weight for every yard that the same shall containe in length: And every Doyting Kerfie after the rate of one pound thre ounces, and one halfe ounce in weight, for every yard that the same shall containe in length. And if it happen that any Kerfie or Kerfies hereafter to be made, shall either exceed the said length of twenty four such yards, as aforesaid, or shall not weigh according to the respective rates and proportions as aforesaid, then every person or persons that shall make, or cause the same to be made for sale, shall lose for every yard of such Kerfie exceeding the length of rrbij. such said yards, the summe of v. s. onely, and no more, And for every pound weight that shall be wanting according to the proportions before respectively limited, shall forfeit iij. s. for every pound, and no more, any former laws or stat. limiting any other or greater penaltie or forfeiture, to the contrary thereof in any wise notwithstanding. The one moitie of the said summes, penalties, & forfeitures, to be to the K. his heires & successors, and the other moitie to him or them that wil sue for the same, in any his Majesties Courts of Record at Westminster, by B. P. or J. Wherein no C. P. M. &c. Provided, that every person and persons, selling or trading any such Kerfie or Kerfies, shall pay unto the King for every pce of Kerfie containing twentie four yards, as much in custome and subsidy ratably, as such person or persons should and ought to pay unto his Majestie for one pce & a third part of a pce containing eightene yards. 3. Jac. 16.

The length & weight of ordinary & doying Kerfies.

The custome and subsidies of Kerfie.

16 Every broad cloth made in Taunton, Bridgewater, and other places of like sort, shall containe at the water in length betwene twelve and thirten yards, yard and inch of the rule, in breadth seven quarters of the yard, and being well scoured, milled, thicked, and fully dyed, shall weigh thirtie pounds the pce at the least. 5. Ed. 6. 6. 43. El. 10. S. Br. 141.

Taunton and Bridgewater broad clothes.

Draperie.

- Narrow
Clothes.** 17 Every narrow cloth made in the said Townes, and elsewhere of like sorts, shall containe in the water in length betwixt twentie foure and twentie five yards, yard and inch of the rule, and in breadth one yard of like measure, and being well scoured, &c. shall weigh xxx.l. at the least. 5. Ed. 6. 6. 43. El. 10. S.Br. 142.
- Checke
Kerries.** 18 All Clothes named Checke Kerries, and Straits, shall containe in length being wet, betwixt xviij. and xviij. yards, with the inches as aforesaid, & in breadth one yard at the least at the water, and being well scoured, thicked, milled, and fully dyed, shall weigh xxiij. pounds the pce at the least. 5. Ed. 6. 6. S.Br. 145.
- Welsh lining.** 19 Every Goad of Welsh lining shall contain thre quarters of a yard in breadth in the water, and shall weigh one pound & halfe a quarter. And every yard of Cotton being fully wrought and cottoned, shall weigh one pound at the least. 4. & 5. Ph. & M. 5. S. I. Jac. 25. No person or persons shall incurre any penaltie for want of any content Seale, to containe the length, breadth, or weight of any Welsh Cottons. And no Welsh Cottons shall at any time hereafter be searched or tried in the water by any person or persons, other than by the buyer thereof, upon paine to forfeit for every such offence by the party who shall make any such search or triall, contrary to the intent of this Stat. v.l. to the R. and the party grieved, to be recovered by Action, Bill, Plaint, or Information, &c. wherein no Fine, Proctation, or Wager of law, &c. 3. Jac. 17.
- Welsh frizes.** 20 All Welsh frizes made within the Shires of Cardigan, Carmarthen, & Denbroke, or elsewhere of like making, ready to be sold for a whole pce, shall containe in length at the water thirtie and six yards wet at the most, yard & inch of the rule, and in breadth thre quarters of a yard, and being fully wrought, shall weigh every whole pce fortie and eight pounds at the least. And every halfe pce of Welsh frizes being fully wrought, shall containe in length, breadth, and weight, after the same rate. 5. Ed. 6. 6.
- Northern
Cloth.** 21 Every Northern cloth shall containe betwene twentie thre and twentie five yards in length, yard and inch of the rule, and in breadth being through wet, seven quarters of a yard within the lists, and being well scoured, thicked, milled, and fully dyed, shall weigh lxxj. l. the pce at the least. And every halfe pce called Dozens, shall containe in length betwixt xij. and xij. yards, seven quarters of a yard in breadth, and being well scoured, &c. shall weigh xxxj. l. at the least. 5. Edw. 6. 6. 43. Eliz. 10.
- Penistones.** 22 All clothes called Penistones, or Forest Whites, shall containe in length betwixt xij. and xij. yards, yard and inch, and in breadth vi. quarters and a halfe out of the water, at the least, and being well scoured, milled, thicked, and fully dyed, shall weigh xxviij. l. the pce at the least. 5. Ed. 6. 6. S.Br. 146. 162.
- Manchester
Cottons.** 23 All Cottons called Manchester & Cheshire Cottons, which shall be full wrought to the sale, shall be in length twenty and two Goads, and containe in breadth thre quarters of a yard in the water, and shall weigh thirtie pounds the pce at the least. 5. Ed. 6. 6.
- Manchester
ruggs or frizes.** 24 All Clothes called Manchester Rugges, or Manchester Frizes, which shall be fully wrought to the sale, shall containe in length xxxvj. yards, in breadth thre quarters of a yard coming out of the water, and shall not be stretched on the Lent, or otherwise, above a naile of a yard in breadth, and being so fully wrought and well dyed, shall weigh every pce fortie eight pounds at the least. 5. Ed. 6. 6. which cottons, rugges, or frizes, may be divided into two halfe pces, and shall containe and be after the rate of such breadth and weight as is aforesayd. 4. & 5. P. & M. 5.
- No swollen
clothes shall
exceed their
appointed
lengths.** 25 No swollen broad cloth, halfe cloth, kersey, cotton, dozen, penistone, frize, rugges, or any other woollen Cloth, of what nature, kind, or name soever they be, or shall be of, shall (being wel scoured, thicked, milled, & fully dyed) exceed the severall length

length, or lengthes, which heretofore is limited and appointed, respectively for every such broad wollen cloth, half cloth, kersey &c. and other wollen cloth, of what nature, kind, or name soever they be of, & ought at this time to be of, by the severall Statutes limited and appointed, upon paine of forfeiture of every such broad wollen cloth, halfe cloth &c. and every other wollen cloth, of what nature, name &c. 43. Eliz. 10. S. Br. 158. 162.

26 Every wollen broad cloth, halfe cloth, kersey, cotton, dozen, penistone, frize, rugge, and every other wollen cloth, of what nature, kind, or name soever they be, or shall be of, shall (being well scoured, thicked, milled, and fully tried) weigh respectively the true weight which is heretofore limited and appointed, for every such broad cloth, half cloth, kersey &c. and every other wollen cloth, of what nature, kind, or name soever they be, or shall be of, to weigh, and ought at this present to weigh by the severall Statutes theretofore limited and appointed, saving that Taunton Clothes, Bridgewater, and such Clothes as shalbe made in Taunton, Bridgewater, and other places of like sort & making, and limited to weigh 4. l. at the least, shall and may from henceforth (being well scoured, thicked, milled, wrought, and fully dyed) weigh onely xxx. l. any former Statutes &c. notwithstanding. And saving that Suffolke, Dorset, Essex, & Southen cloth, limited by the severall Statutes of 5. Ed. 6. & 4. & 5. P. & M. or one of them, to weigh the severall weights therein mentioned, shall & may be abated for the workmanship of the whole cloth liij. l. and for the halfe cloth ij. l. in the weight thereof, as the same Dorset, Suffolke, and Essex clothes are allowed by her Highnesse collateratio by proclamation. And if it shal happen any of the said broad wollen clothes, halfe clothes, kersyes, cottons, dozens, penistones, frizes, rugges, or any other wollen cloth, of what nature, kind, or name soever they be, or shall be of, made, or to be made to be sold, shall lacke (being well scoured, thicked, milled, wrought, & fully dyed) of the weight theretofore respectively limited, & which ought to be of y^e weight by this present act, above thre pounds in any whole broad wollen cloth, & above one pound & the halfe of one pound in one halfe broad cloth, Taunton cloth, Bridgewater, or other cloth of like sort, & above one pound in one kersey, cotton, dozen, penistone, frize, rugge, or any other wollen cloth respectively, of what nature, kind, or name soever they be, or shalbe of: The offender shall pay for one pound wanting more then as aforesaid, 10. s. and for two pounds 20. s. and for thre pounds 40. s. and so double the sayd. for every pound so wanting, unlesse the party offending by such wanting, will yeld the same cloth, halfe cloth, kersey, cotton, dozen, &c. so wanting forfeited, which if he will yeld, then the same so wanting shall be forfeited: Any former, law, statute, &c. notwithstanding. The moiety of all which sayd. shal be to the Searchers and Dversers that shall and will find the same, and the other halfe to the poore of the parish where the offence shalbe committed. 43. EL. 10. 1. lac. 25. To continue untill the end of the first Session of the next Parliament. S. Br. 159. &c. & Br. 162. AL.

The weight of wollen Clothes.

S. Br. 16. 17.

S. Br. 9. 10.

The sayd. for want of weight

27 Every person which shal make or cause to be made, any of the severall kinds of broad clothes above rehearsed, of any shorter or longer measure then is above specified in the Statute made 5. Ed. 6. & 4. & 5. P. & M. and appointed for every Countrey, or severall kind of Clothes to be made, or make any such cloth of lesse breadth, being well shoured, thicked, milled, and fully dyed, then is above specified and appointed for every severall Countrey or kinds of clothes, and shal put the same to sale, shal paye for every such default of every cloth sold or offered to be sold in length or breadth, fourte shillings. And every person which shal make or cause to be made any of the severall kinds of kersyes, narrow clothes, straits, dozens, frizes, or cottons above mentioned, which shal not be made in such manner and forme, as is above sayd, nor containe in length and breadth severally ap-

For fault of weight or measure.

Draperie.

Blunkets.
Azures.
Blewes.

Breath.

Weight.

Length.

Whites & reds
made in Wilt.
Glouc. & So-
merfetshire.

Narrow li-
sted Whites.
Broad li-
sted
Whites.

pointed, as is above specified, shall forfeit for every piece of such cloth so made and sold, or offered to be sold, twentie shillings. And if any such Cloth or Berrey shall lacke of such weight, as by the said Statute it is appointed to have: When the maker thereof, or other person in whose possession the same shall be found, shall forfeit for every pound lacking above four pounds, five shillings: And also for every pound not exceeding four pounds, two shillings to the King and Informer, to be recovered by A. J. wherein no Wager of Attaine, Protection, &c. 5. Ed. 6. 6. 4. & 5. Ph. & Ma. 5. S. Br. 129. 158. 159. 160. &c. & Br. 162. AL. If any of the Clothes called broad Blunkets, Azures, Blewes, and other coloured Cloth made within the Shires of Wiltshire, Gloucester, or Somerset, or elsewhere of like making, shall not containe five quarters and an halfe at the least within the lists, as is aforesaid: Then every person offending in that behalf, shall for every such Cloth be subiect unto such paynes, penalties, and forfeitures, as were, by force of the former Statute of 5. Edw. 6. to have been forfeited, for want of breadth of seven quarters within the lists. And if any of the sayd broad Blunkets, Azures, Blewes, or other coloured Clothes, being well skoured, thicked, milled, and fully dyed, shall contain in weight any lesse then thre score and eight pounds at the least: Then every of the said Clothiers therein offending, shall incurre double such penalties and forfeitures, for every pound so wanting of the said weight, and not weighing after such rate, as is before expressed, in and by the sayd Statute made 5. Ed. 6. is limited and appointed. And if any of the Clothes to be made within the Countie of Somerset, or elsewhere, of like making, called Blunkets, Azures, and Blewes, being well skoured, thicked, milled, and fully dyed, shall containe in weight any lesse then thre score & eight pounds at the least, or if any of the sayd Clothes, shall containe in length any more then twentie and seven yards at the most: Then every of the same Clothiers therein offending, shall incurre double such penalties and forfeitures for every pound so wanting, as by the said Statute of 5. E. 6. are to such defaults limited and appointed: And for every yard that any such Cloth shall containe above twentie and seven yards in length, and not weighing after such rate as is before expressed, The maker of every such Cloth shall incurre double the penalties by the Statute of 4. & 5. P. & M. to such defaults limited and appointed. 35 Eliz. 9. S. Br. 25. 26. S. Br. 135. 136. 137. 138. 139. & Br. 162. AL.

28 If any Whites or Reds made in the Counties of Wiltshire, Gloucester, and Somerset, or elsewhere, of like making, or any other Whites shall not containe five quarters and a halfe at the least within the lists, as is aforesaid: Then every person offending in that behalf, shall for every such cloth be subiect unto such paynes, penalties, and forfeitures, as were by force of the said Statute of 5. E. 6. to have been forfeited for want of breadth of seven quarters within the lists, viz. he shall forfeit for every such default of every cloth sold, or offered to be sold, xl. s. to thefinder thereof. And if any cloth to be made in any of the said counties, or elsewhere, of like making, called narrow listed Whites, being well skoured, thicked, milled, and fully dyed, shall containe in weight any lesse then lxxj. pounds at the least: And if any cloth to be made in any of the sayd Counties, or elsewhere of like making, called broad listed Whites, being well skoured, thicked, milled, & fully dyed, shall contain in weight any lesse then fivete thre pounds at the least: And if any of the said clothes called narrow listed, or broad listed Whites, shall contain in length any more then betwixt 26. & 28. yards at the most: Then every of the said clothiers therein offending, shall incurre double such penalties and forfeitures for every pound so wanting of the sayd severall weights above limited, and for every yard so exceeding in length, and not weighing after such rate as is before expressed, as by the aforesaid Statute of 4. & 5. Ph. & Ma. 5. is provided and appointed, viz. hee shall forfeit for every yard exceeding in length, 10. s. and for every pound lacking above liij. pounds

pound, 10. s. and for every pound not exceeding 4. pound, iiii. s. 27. El. 17. 35. El. 7.
S Br. 137.

29 **Good Draper, Merchant Taylor, Clothworker,** or other person which shall retails any clothes or kerseyes, kerseyes, wugges, or cottons, of the severall makings specified in the Act made 5. Ed. 6. shall put to sale any of the said clothes, wugges unto the Aulnager shall have set the King's seale, & the cypher his seale, till he have made triall as well by the water, as by the weight & measure, whether they shall be made according to the purport and true meaning of the sayd Act, or no. And if any person shall find any defectue or faulty cloth, in length, weight, or measure, made contrary to the act aforesaid: Then he shall present every such cloth to everie Shire, Bayliffe, or other head officer, or head officers of everie citie, borough, or town corporate, or to the two Justices of peace next adjoining out of a city, borough, or town corporate, where such cloth shalbe found faulty, to the intent the same cloth may be cut in y^e equal pieces: The one piece thereof to be for to the King, another to the presentor thereof, & the third part residue to such person or persons as it shal then be presented to, upon paine that every such person as shal so search every of y^e clothes, kerseyes, cottons, or wugges aforesaid, so by him bought & sold, & shall not seize & present such Cloth as he shall find defectue, shall forfeit the double value of every such cloth. 5. Ed. 6. 23. E. 3. 1. S. Justices of peace. 83.

The draper shall trie the cloth, and present the fault

30 Every clothier or other person whatsover, which so shall sell any such faultie kersey, cotton, or serge, wherunto the Aulnager & the owner shal have set to their seales, and shalbe so seized as is aforesaid, shall within xiiii. daies next after request made by writing, message, or otherwise, by such pers^{on} which shal so buy such cloth, make payment of such summe of money as he received for the same, or otherwise shall satisfie, discharge, & acquite him for so much money, as he should have received for y^e same, upon pain of for to the party grieved for every nonpayment, or not acquittal, the double value of the money so received &c. to be rec. by A. B. P. &c. wherin no W. &c. C. P. &c. 5. Ed. 6. 6. S. Br. 1. 161.

Repayment of money received for faulty cloth

31 As well the Shire of London & Aldermen, or the more part of them, as every other Shire, Bayliffe, and head officer of everie Citie, borough, or towne Corporate within this Realme, shall from time to time appoint two or more honest, discreet, & expert persons, which shal from time to time upon their oathes view and search all clothes that shall be dyed, dyed, or pressed with the cold presse, within every such city, borough, town corporate, or port town, & view & search whether y^e same clothes be well & sufficiently dyed & pressed with the cold presse, without putting thereto flocks, solace, chalke, flower, or any other deceitfull thing, & also whether the same shalbe wel dyed with good & perfect colours, without any receivable thing, or whether it shalbe streined any more then in this Statute is specified, & shall have power to enter into every persons house where they shall thinke meet, to search and seize every such cloth as they shall find defectue in the premises, in whose hands soever they shalbe found, as for to the King & to the Shire & Commonalty of the city, borough, town corporate, port town, or market towne where y^e same shalbe seized. And every person in whose possession such defectue or faulty cloth, either by evil wyng, dwelling, or pressing shalbe found & seized, shall have his remedy (by A. B. &c. wherin no W. &c. C. P. &c.) against every such person by whose default or negligence such cloth shal so be found faulty, and shall thereby recover all such costes, losses, and damages, as he shall sustaine by occasion thereof. And every Shire, head officer, &c. of any Citie, Borough, or towne corporate, in which any clothes shalbe made, dyed, dyed, or pressed with the cold presse, which doe not appoint so many Searchers as shalbe requist to search and view clothes upon their oathes, shall forfeit for every default y^e to the King & to be recovered by A. B. &c. wherin no W. &c. C. P. &c. 5. Edw. 6. 6.

Searchers of Cloth.

Deceitfull things put in Cloth.

Draperie.

A scale of lead
in euerie co-
pozat towne.

32 A shal the Mayor of London, as euery other Mayor, Bailif, Portreeue, or other head Officer of euery citie, borough, towne, corporation, or port towne, shall cause to be prepared a Scale of Lead, wherein as well the armes, as the name of euerie such Citie, Borough, towne &c. shall be grauen, which the same Searchers shall cause to be fixed to euerie Cloth that they shall find well and sufficiently dyed, dyed, and pressed, with the cold presse without any of the deceits aforesayd, and shall haue for their paynes by the owner thereof for the sealing of euerie Cloth y. 3. 5. Ed. 6. 6.

How faultie
cloth shalbe
sealed.

33 If any Searchers doe find any of the Clothes being coloured or dyed, either cockly, purdie, bandie, squaly, or rowy, or euill buried, or wasted in the Mill, or full of holes, or backs, then they shall besides the scale of the Citie, borough, or towne Corporation, where the same Cloth shall be found, put another scale of Lead at euerie end of the said Cloth, wherein shalbe grauen the letter (F) and shall also set a marke in the list, right against such place where any of the faults aforesaid shal be, with the print of a Letter or marke of an inch compasse at the least, whereby euery buyer may well know what and where the fault is. And if any of the aforesayd Searchers doe set the scale of any Citie, Borough, &c. to any cloth which shall haue any of the aforesaid faults, and doe not set at euery end of the clothes one scale with the letter (F) Then the Comminaltie of euerie such citie, borough, &c. where such Searcher shall be appointed, shall for euery such omission v. l. to the King and 3. to be recovered by A. J. &c. wherein no W. &c. C. P. &c. 5. Edw. 6. 6. 4. & 5. Ph. & M. 5. S. Br. 53.

The comminal-
ties for the
searchers
fault.

Cloth sealed
in one borough
shall not be
searched in an-
other.

34 The Scale of euerie borough or town corporation, appointed for the sealing of any kind of Cloth, shall be fixed to euery such kind of cloth being well made within such citie, borough, or towne corporation, which cloth so sealed with the scale of any citie, borough, or towne corporation, shall not be searched, tried, or viewed by any searcher or sealer of any other citie, borough, or towne corporation, by vertue of his said office. 4. & 5. P. & M. 5.

Refusing to be
a Searcher.

35 If any of the said Searchers so appointed by the Mayor, Bailif, or other head Officer of any citie, Borough, or towne corporation, having no reasonable excuse, doe refuse to be a Searcher, and doe not use the office of a Searcher, he shall forfeit for euerie such refusal and not executing of his office v. l. to the King, and the use of the Comminalty of euerie city, borough, &c. where he shal be assigned, and also shall remaine in ward, till he hath payed the sayd forfeiture, or other wise put in sufficient bond for the satisfaction of the same. 5. Ed. 6. 6.

The search-
ers or sealers
may enter into
euery mans
house.

36 The Searchers or sealers and euerie one of them, haue authoritie in the day time, to enter into euery house of euery person, where he or they shall thinke meet, to search and to trie euery kind of clothes, kersies, frizes, and rugs, as they shal find defective, eyther in length, breadth, or weight, and the same to trie by water and weight, and also to search and seise as forfeit euery cloth made of other colours then in this act is appointed. 4. & 5. P. & M. 5.

Denying of
search.

37 If any person shall denie, withstand, or withhold any clothes, kersies, frizes, or rugges, from the sayd sealers or Searchers, or any of them, or will not suffer the to enter into their shops, warehouses, houses, or places where their Clothes &c. shall be, the same to be searched and tried as is aforesayd: Then he so denying or withholding, for euery such withholding, withholding, or deniall, shall forfeit v. l. to the W. and 3. to be recovered by A. J. &c. wherein no W. &c. C. P. &c. 4. & 5. P. & M. 5.

No Cloth
which is sealed
shalbe
searched in a
market.

38 It shall not be lawfull for any of the sayd Searchers or sealers, or any other person, to search any wollen cloth or kersie, whereunto the scale of a city, borough, or Town Corporation shalbe fixed, within the cloth market of London, called Blackwell Hall, or in any common Cloth faire, or cloth market of any other Citie, bo-
rough,

rough, or Towne Corporat, in, and during the time of the faire or market. 4. & 5. P. & M. 1.

39 If any person shall by himselfe, or by any other person by him procured, counterfeit, set to, or take away from any cloth, kersey, stripe, ruggs, or cotton, any seale appointed to be fixed to the same, by either of the Statutes made 5. Edw. 6. & 4. & 5. Ph. & Mar. When he shall forfeit for the first offence (being thereof duly convicted by verdict of twelve men, or by two sufficient witnesses, or by confession of the partie) 1. l. And for the second offence being likewise convicted, shall sit on the pillorie, and forfeit to the Duke 1 such his goods and cattels (his debts being truly payed) as he shall have at the time of his conviction. 5. Edw. 6. 6. 4. & 5. P. & Mar. 5.

Counterfeiting or taking away a seale.

40 No person which commonly useth to retails Cloth or Kersey, shall put to sale, in grosse, or by retails to any person, any manner of Cloth being dressed, dyed, and pressed, except there be fixed thereunto at euery end of the same cloth, the Seale of such citie, borough, or towne corporat, where the same cloth shalbe so dyed, dressed, and pressed, or the seuerall seales of euery such citie, borough, or towne corporat, where it shalbe so dyed, dressed, or pressed, to remain at the last end of euery of the said cloth, which shall be sold, during all the time that any piece of such cloth is to be sold, upon payne of forf. the whole value of such cloth to the R. and I. to be recovered by R. I. & c. wherein no W. & c. 5. Ed. 6. 6.

No cloth scapled but which is sealed.

41 Euery person dwelling within the Countie of Somerset, which shall put to sale any wollen clothes, commonly called Bryingwater, Taunton, and Chard clothes, or clothes of like making, nature, and sort, made within the sayd Countie, except such cloth be first viewed, searched, & seene in one of the boroughs of Bryingwater, Taunton, or Chard, and sealed with the seale of one of the said boroughs, or towns, according to the foresaid statute 5. Ed. 6. shal forfeit the cloth sold, or the value thereof to the R. and I. & c. to be recovered by R. I. & c. wherein no W. & c. 5. Ed. 6. 6. 2. & 3. P. & M. 12.

Bryingwater, Taunton, Chard, clothes

42 Euery person not dwelling within any Citie, Borough, or towne corporat, and making any of the clothes or kerseys aforesaid, may lawfully bring the same to the next Citie, Borough, or Corporat towne, where any such kind of clothes or kerseys be commonly made, there to be sealed in manner and forme aforesaid. 4. & 5. P. & M. 1.

Clothes brought to a towne corporat to be sealed.

43 If any Searcher, or Dealer, appointed by the foresaid statutes of 5. Ed. 6. & 4. & 5. Ph. & M. shall set the seale of any citie, borough, or towne corporat, to any Cloth which shall not containe such length, weight, and breadth, as in the sayd statutes is appointed: When the Corporation of the Township, where any such cloth, kersey, stripe, cotton, or rug shall be so sealed, shall forf. the whole value of the cloth so sealed. 4. & 5. P. & M. 5. S. Br. 164.

Sealing of Cloth which lacketh length &c.

44 If any of the Searchers aforesaid, shall set the seale of any Citie, Borough, Towne corporat, or port towne, to any coloured cloth which shall not be sufficiently dressed, dyed, pressed, and wrought, as is aforesaid: When the Corporation of the township, where such cloth shall be sealed, shall forf. the whole value of the Cloth so sealed. 5. Ed. 6. 6.

Sealing of cloth not sufficiently dyed &c.

45 In euery towne, village, or hamlet being not corporat, where any cloth shal be made, or sold, the Just. of peace of the same where any such towne, village, or hamlet is, or two of them at the least, shall haue full power once euery yeare to call befoze them, by their precept, or otherwise, ii. iij. vi. viij. or more, as they shal thinke good, of the most honest, discreet, and indifferent men of euery such towne, &c. and then shall appoint to be Quakers so; one whole yeare then next following, within the towne, village, or hamlet where the same Quakers shall be dwelling, charging them upon their Oaths &c. that they doe indeavour themselves so that

Quakers appointed by the Justices.

Draperie.

yeare, as much as in them shall lie, to see that the statute of 3. Ed. 6. provided for the true making of woollen cloths, be truly observed within the limits of their charge, in everie part thereof. 3. Ed. 6. 2.

The authori-
tie of Quert-
lers,

46. The same Quertlers, or two of them, shall every Quarter of the said yeare at the least, or so often as need shall require by their discretions, visit and goe into everie Clothiers, Drapers, Cloth-workers, Dyers, or Dyers houses, shops, and other places where cloth or dyed wool shall be, and there make due search, and view the clothes and wools made or dyed, or remaining to be sold, and to search and trie, whether the said clothes be watone, or strained, or falsly dyed. 3. Ed. 6. 2.

Refusing to
be Quertlers,

47. If any of the said persons so commanded to appeare, to be made Quertlers, having no reasonable excuse, doe refuse to come and to take upon him to be an over-
seer: Then everie such person shall forfeit for every such refusing xl. s. to the King, and to the Justices of peace by whom he was commanded to appeare, or to be an over-
seer, and shall remaine in the ward of the shirife, untill he hath paid the same for-
feiture, or otherwise put in sufficient bond for the satisfaction of the same. 3. Ed. 6. 2.

Quertlers
not making
search.

48. If the same Quertlers, or two of them at the least, doe not once every quar-
ter of the yeare make due search for the true executing of this statute: Then everie
of the said Quertlers shall forfeit for every such default xl. s. to the King, and to be re-
covered by A. J. 4c. wherein no W. 4c. C. P. 4c. 3. Ed. 6. 2.

Interrupting
Quertlers.

49. If the same Quertlers shall be interrupted, and not suffered to enter into
the sayd houses, shops, or other places where any such clothes, or wools shall be
made or dyed, or any other of the sayd defaults shall be committed, there to make
search for the better executing of this statute: Then everie one that so shall make a-
ny such interruption, shall forfeit xx. l. to the King, and to the sayd Quertlers, to
whom any such interruption shall be made, to be recovered by A. J. 4c. wherein no
W. 4c. C. P. 4c. 3. Ed. 6. 2.

within what
time the suit
shalbe com-
menced.

50. Provided that no person shall take any advantage of any the said forfeitures,
by reason of this statute of 3. Edw. 6. unless he doe commence his suit within one
yeare next after the said offences and forfeitures committed. 3. Ed. 6. 2.

The Cloth-
iers marke.

51. Every Clothier shall inweave, or cause to be woven his severall token or
marke, in everie Cloth, kerseie, and other clothes whatsoever they be, made to be vi-
tified and sold, and when any Cloth shall be ready made and dressed to be put to
sale, everie of the same Clothiers shall set his seale of lead unto everie of them: In
which seale shall be contained the iust length of every of the same clothes or kersies,
as it shall be found by everie buyer of the same, upon due proofe thereof to be tryed
by the water. And in case upon any such proofe to be made by any buyer of them
at the water, there shall be found lesse content in length then is contained in every
of their seales, Then every of the said Clothiers shall forfeit unto every such buyer
of the same the double value, of so much cloth as shall want of his said content in
length, at the only sight and iudgement of any two indifferent persons that shall
measure the same. And every clothier putting his cloth to sale before it shall be sea-
led by the Aulneger, and marked in forme aforesaid, shall forfeit his cloth to the K.
and to be recovered by A. J. 4c. wherein no W. 4c. C. P. 4c. 27. Hen. 8. 12. S. 30.
And Quere whether the Clothier shall forfeit the double value, or the Cloth, or
both.

Aulneger's
seale.

Quere,

No Clothier
shall use ano-
thers marke.

52. No person shall use any marke upon his Cloth, such as another doth, and
hath used before him, upon paine of forfeit of every of the said Clothes to the K. and to
him that will seize the same. 5. H. 8. 2. 6. H. 8. 8.

Faulty Cloth

53. If any Cloth or Kerseie through the default and negligence of the Carders,
spinners, or weavers, shall prove either purlie, rockley, baudie, squally, or colvie,
by waape or wofe, or else shall happen to be still burlen, or trashed in the mill, or
through default of the mill man, or otherwise, to be full of holes, mil-bakes, or to be

be holie, When the maker thereof shall bre into enery end of the sayd cloth o^r herse, so being defective and faultie, and offered to be sold, one scale of Lead, in the which scale shall be ingrauen this word (faultie) vpon paine of fo^r of such cloth o^r herse, o^r the value thereof, so offered to be sold, whereunto such scale shall not be set. 4. & 5. P. & M. 1. 3. Br. 33.

54 The Woll which shall be deliuered, fo^r, o^r by the Clothier to any person, breaking, keimbing, carding, o^r spinning of the same, shall be by even, full, and true pois and weight of harden poyes sealed by authoritie, not exceeding in weight after the rate of xij. pounds seined Woll, above one quarter of a pound fo^r the waist of the same Woll, and in none other maner. And the breaker o^r keimber shall deliuer againe to the same clothier the same woll so broken and keimpt, and the carder and spinner shall deliuer againe to the sayd Clothier, yarne of the same woll by the same even poyes and weight (the waist thereof excepted) without any part thereof contraiing, o^r any more oyle, water, o^r other thing put thereunto deuiably, vpon payne to fo^rfeit to the Lord of the L^{et}, within the precinct wherof such default is done, fo^r every such default twelve pence vpon due p^{ro}ofe of such deceit, before and by the discretion of the Sayo^r, Bayliffe, o^r other head officer of the Citie, Borough, o^r Towne where the deceit shall appeare, calling to him such persons, as shall seme to him convenient fo^r the p^{ro}ofe of such deceit. 6. H. 8. 9.

55 Enery person occupying the trade of buying and selling of Welsh cloth and Lynings, within the Towne of Wykeburie in the countie of Salop, which doth deliuer the same to be cottoned, scized, dyed, o^r wrought, to any Shearman, Cottoner, o^r frizer, and doth not pay to the same Shearman o^r fr. readie money fo^r all his sayd worke, without any colour, fraud, o^r engin whatsoeuer, and without waie o^r other thing in satisfaction of his sayd worke, o^r any part thereof, shall lose all his libertie and freedoms of the fraternitie of Drapers, and fo^r ever after be excluded & disabled by himselfe, o^r any other fo^r him to occupie o^r enioy the trade of buying and selling of Welsh Clothes o^r Lynings. 8. Eliz. 7. 14. Eliz. 13.

56 No person which shall buy to sell againe by way of retaile, o^r otherwise, any Welsh lynings, shall dyell o^r worke, o^r cause to be dyed o^r wrought, within his dwelling house, o^r in any other places, any of the said Welsh lynings, but shall put the same to some such person as shall be of the science of Shearmen, Cottoners, o^r frizers, to be by them wrought and dyed, vpon payne to fo^rfeit fo^r every Welsh cotton, o^r lyming, scized o^r cottoned to the contrarie six shillings 8. pence. 4. & 5. P. & Mar. 7. And if any person dwelling within the Towne of Wykeburie in the Countie of Salop, o^r the Libertie of the same, vsing the trade of buying of frizes, Cottons, o^r Plains, doth exercise the facultie of frizing o^r cottoning, he shal fo^rfeit fo^r every p^{ar}te of s. viij. to the A. u. and J. q^r. to be recovered by A. J. q^r. where in no W. q^r. C. P. q^r. 8. Eliz. 7. 14. Eliz. 13.

57 No person shall put any haire, flockes, o^r any yarne made of Lambes Woll into any cloth, herse, scize, o^r Cotton so made and sold, o^r offered to be sold, vpon paine to fo^rfeit every such cloth, herse, scizes, and cotton wherein any such yarne, haire, o^r flockes shall be put, o^r the value thereof, to the A. and J. to be recovered by A. J. q^r. wherein no W. q^r. C. P. q^r. 5. Ed. 6. 6. The fo^resayd branch made Anno 5. Ed. 6. which prohibiteth the putting of Haire, Flockes, o^r yarne made of Lambes Woll into any cloth o^r scize, having regard vnto the Clothes called Plaine white straits, and pinned white straits, shall be repealed and made voyd. And it shall be lawfull to all and euerie the Quenes Subjects, inhabiting, o^r which shall hereafter inhabite within the Countie of Denon and Cornwal, as well in townes, Corporat, market townes, o^r elsewhere, to weaue and make the said clothes called Plaine white straits, and pinned white straits, and to vse and occupie in making of the said clothes, flockes, haire, and yarne made of Lambes woll, & to haue, keepe

The weight of the woll deliuered by the Clothier to the carder & spinners.

Occupiers of Welsh cloth, shall pay the Shearmen ready money.

No retailer of lyming, frizes, o^r cottons, shall worke the same.

Haire, flockes, lambes woll. S. Br. 155. 156.

Plaine white straits, pinned white straits.

Draperie.

The length,
breadth, and
weight of
plaine & pin-
ned straits.

Straining or
stretching of
Cloth.

Pressing of
Cloth.

Boyleing of
wooll.

Lists of cloth.

Clothes made
in the West-
riding in York-
shire.

Folding of
Welsh cloth.

Colours of
Cloth.

keepe, and vse in his and their houses, thre A. mers and not above, for the making of the clothes aforesayd: and to make the same clothes of such length, weight, and breadth, as the merchant shall like and accept to buy the same for Merchandize, or appoint the same to be made for the vse and most acceptable allowance of the country people where the same shall be transported for merchandizes, so that in trusty none of the same are wayne or occupied within this Realme: The sayd Statute made An. 5. Ed. 6. or any other Law or Statute to the contrary notwithstanding. Provided alwayes, that in defrauding of the A. mers custome, no piece of the said clothes shall be made above twelve pounds in weight, or above fourteen yards in length, or one yard in breadth, upon payne of forfeiture of all such Clothes made over and above the sayd length, breadth, or weight, or the value thereof to the A. and J. to be recovered in any court of Record, by W. B. or J. wherein no W. or J. 18. S. Br. 2. 122. 127.

58 No person shall straine, or cause to be strained any cloth, above one yard in length and one halfe q. in breadth, upon payne to forfeit for every such default v. l. And no person which shall haue or occupie any tentour, shall haue or occupie wrych, rope, or ring with the same tentour, or shall vse any other engin vnlawful to strain, or stretch any cloth, upon pain that every offendour, that shall vse or occupie any tentour, or other engin to the contrary, shall forfeit. x. l. to the A. and J. to be recovered by A. J. or. wherein no W. or J. 5. Ed. 6. 6. S. 112. 113. 123. 124.

59 No person shall presse any kind of Cloth, with the hot presse, or in any other kind of deceivable manner, but onely with the cold presse, upon payne of forfeit. of the whole cloth so pressed, or the value thereof to the A. and J. to be recovered by A. J. or. wherein no W. or J. 5. Ed. 6. 6.

60 No person shall boyle, or cause to be boyled, any wools to be converted into any kind of broad cloth, or kersey, with any kind of galles, rindes, barkes of Trees, or sawdust, upon payne to forfeit. all such Wools, or the value thereof, to the A. and J. to be recovered by A. J. or. wherein no W. or J. 5. Ed. 6. 6.

61 No person shall adde vnto any Cloth, any counterfeit list like vnto the making of Cocksal, Hocking, or Bainton clothes, commonly called Wandemarcs, except the warp thereof be spun vpon the distaffe, upon pain of forfeit. of the same cloth, or the very value thereof: But the clothmakers within the city of W. or. cester may make such lists as they haue done heretofore. 4. & 5. P. & M. 5.

62 No person inhabiting within the Westriding in the Countie of York, shall make, or cause to be made any broad Clothes, called Peiwkes, Catonies, Wiolets, or Greene, except the Wool thereof (before it be converted into yarn) be first died, lifted, and coloured, with the colour Blewe, of the value of two pence a pound, vpon payne of forfeit. of enerie such coloured Cloth, whereof the wools shall not be first died, or. the value thereof, to the A. and J. to be recovered by A. J. or. wherein no W. or J. 4. & 5. P. & M. 5.

63 Welsh cloths called Whites, Kustets, and Kermets, made in Porthwales and Wrecster hundred, that shall be brought to any common Markets or Faires, to be uttered and sold, shall be folded either in plaits, or cuttall, as the Clothes of all other countries of this Realme are vsed, to the intent that buyers may perceiue the breadth and goodnesse thereof, vpon paine of forfeit. of enery piece brought to any market or faire to be sold contrary to the form aforesayd, to the A. and J. to be recovered by A. J. or. wherein no W. or J. 33. H. 8. 3.

64 No person shall put to sale within the Realme of England, any coloured Cloth of any other colour, or colours, than Scarlet, Red, Crimson, Purpur, Violet, Peiwke, Brownblew, Blache, Greene, Yellow, Wychtawny, Kustet, Warble, Gray, Red new colour, Azure, Blatched, Sheeps colour, Iron colour, Potley, Iron Gray, Friers Gray, Crane colour, Purple, and old Peiwley colour, most com.

commonly used to be made above and before twentie yeares last past. 4. & 5. Ph. & M. 5.

65 No person occupying the seat of dying, shall dye, or alter into colours, or cause to be dyed, &c. any wollen Clothes, as Brownblewes, Bedwikes, Tawnyes, or Violets, except the same be perfectly boyled, grained, or maddered upon y^e woad, and that with good and sufficient cooke or choll, after a due, substantiall, and sufficient manner of workmanship, according to the auncient workmanship in time past used, upon payne for euery default to forfeit xx. s. No person shall die any wool to be conuerted into cloth, called Russets, Gusters, Harbles, Graies, Raies, and such like colours, or to be conuerted and made into Hats or Caps, vnlesse the same wool be perfectly woaded, boyled, and maddered, according to the true and auncient vsage, upon payne of forfeiture for the false dying of euery such cloth, or of as much wool as shall serue for the making of euery cloth contrary to the true meaning hereof xl. s. No person shall dye with Brazil to the intent to make a false colour in cloth, nor wool, hats, nor caps, upon paine for euery default to forfeit xx. s. to the R. and J. to be recovered by A. J. &c. wherein no W. C. P. &c. 3. Ed. 6. 2. S. Iustices of Peace 82.

Dying of clothes.

Dying wool.

66 No person shall occupie any Pion Cards, or pickards, in rowing of any set Cloth, or any manner of wollen Cloth, upon payne to forfeit as well the sayd Pion Cards and pickards, as also the summe of xx. s. for euery such offence. 3. E. 6. 2. And if any person occupie any Signmill for the workmanship of any wollen Cloth, he shall forfeit for euery cloth wrought in or by any of them v. l. to the R. and J. to be recovered by A. J. &c. wherein no W. C. P. &c. 5. Ed. 6. 22.

Iron cards, pickards.

Signmills.

67 No person shall sell any cloth by any lesse measure, than after the true content thereof, to be meaten and measured by the yard, adding to euery yard one ynch of the rule. 6. H. 8. 9. 3. Ed. 6. 2.

Measure of Cloth.

68 No person shall buy any coloured wool, or coloured wollen yarne of any Carder, Spinner, or Weauer, but onely in open market, upon payne of forfeiture of such wool & yarne so bought, to the R. and J. to be rec. by A. J. &c. wherein no W. C. P. &c. 6. H. 8. 9.

Buying of coloured wool and yarne.

69 No person vsing the seat of Cloth making, & dwelling out of a city, borough, market towne, or corporation, shall haue in his possession above one wollen lome at one time, nor shall directly or indirectly take any commodity by letting any lome, or any house wherein any lome shall be occupied, which shall be together by him let, upon paine of forfeit for euery week that any person shall do contrary xx. s. to the R. & J. to be recovered by A. J. &c. wherein no W. C. P. &c. 2. & 3. P. & M. 11.

A Clothier shall haue but one wollen lome.

70 No wollen Weauer vsing the seat of Weaving, and dwelling out of a citie, borough, market towne, or towne Corporation, shall haue or keep at one time above two wollen lomes, or receiue any commodity by any more then two lomes at one time, upon payne to forfeit for euery weeke that any person shall do to the contrary xx. s. to the R. and J. to be recovered by A. J. &c. wherein no W. C. P. &c. 2. & 3. P. & M. 11.

No weauer shall keepe above two lomes.

71 No person which shall occupie only the Mystery of a weauer, & not cloth making, shall (during the time that he shall vse the seat of a weauer) haue any Lutting mill, or shall exercise the seat of a Lucker, Fuller, or Dyer, upon paine to forfeit for euery weeke that he shall so do, xx. s. to the R. and J. to be recovered by A. J. &c. wherein no W. C. P. &c. 2. & 3. P. & M. 11.

No weauer shall haue a Lutter.

72 No person which shall vse the seat of a Lucker, or Fuller, shall, during the time that he shall so vse the sayd seat, haue any lome in his house or possession, or shall directly or indirectly take any profit by the same, upon paine to forfeit for euery weeke xx. s. to the R. and J. to be recovered by A. J. &c. wherein no W. C. P. &c. 2. & 3. P. & M. 11.

No Lucker or Fuller shall kepe a lome.

Draperie.

No man shall
be a weauer
but which
hath bene
Apprentice.

Lomes kept
in the Coun-
ties of Yorke,
Cumberland,
Northumber-
land, & West-
merland.

The weauer
shall put into
the Cloth all
the yarne, &
refuse it.

None shall o-
ther clothing,
but where it
hath bin used
&c.

Inhabitants
at the time of
the Statute.

Places excep-
ted wherein
Cloth may be
made.

Gloucester
Shire.

73 It shall not be lawfull for any person to set by the Apperierie of Weaving, vntilse the same person haue bin Apperitice to the same Apperierie, or exercised the same by the space of vij. yeares at the least, upon payne of xx. l. to be forf. to the An. and J. to be recovered by A. J. &c. wherein no W. C. P. &c. 1. & 5. P. & M. 11. And whosoever shall weave, or make, or put to weaving or making, woollen Cloth, long or short kersies, Pinned whites, or Plaine Straits, vntilse he hath bin apperitice to the occupation of making, weaving, and rowing of cloth or kersey, or haue bin exercised therein by the space of vij. yeares before, shall forf. such Cloth or the value thereof to s. ii. and J. to be recovered by A. J. &c. wherein no W. C. P. &c. 1. & 5. P. & M. 5. But this Act of 2. & 3. Ph. & M. is not prejudiciall to any persons dwelling in the Counties of Yorke, Cumberland, Northumberland, and Westmerland, but euery of them shall and may keepe Lomes in their houses, & exercise euery thing concerning spinning, Weaving, Clothworking, & Clothmaking in the sayd Counties, as they might haue done lawfully before. 2. & 3. P. & M. 11.

74 The Weauer which shall haue the weaving of any woollen yarn to be webbed into Cloth, shall weave, worke, and put into the webbe for Cloth to be made thereof, as much and all the same yarne, as the Clothier, or any person for him shall deliuer to the same weauer, with his vsed marke put to the same, without changing, or any part thereof leaving out of the same webbe, or els shall restore to the same Clothier the surplusage of the Yarne, if any shall be left not put into the same webbe, and without any more oyle, byame, moisture, sand, dust, or other de-coinable thing putting to the same webbe, upon payne to forf. for euery default iij. s. iiii. d. to the King and Informer, to be recovered by A. J. &c. wherein no W. C. P. &c. 6. H. 8. 9.

75 No person shall vse the Apperierie of making, weaving, or rowing of woollen Clothes, long or short, or Kerseys, Pinned whites, or Plaine Straits, to the intent to put the same to sale, but onely in a Market towne, where Cloth hath commonly bene vsed to be made by the space of x. yeeres last past, viz. (before 10. Januarij), An. Do. 1557.) or in a City, Borough, or Towne corporate, upon pain of forf. for euery such woollen Cloth, or Kersey made, woven, or rowed out of such Citie, Borough, or Towne Corporate, or Market towne, v. l. to the An. and J. to be recovered by A. J. &c. wherein no W. C. P. &c. 4. & 5. P. & M. 5.

76 But it shall be lawfull to any person now, (viz. at the making of this Act) vsing the feat of making, weaving, or rowing of Cloth, or Kersey, to inhabit where he now doth, and there to vse the making, weaving, or rowing of Cloth or Kersey, as he hath done heretofore. 4. & 5. P. & M. 5.

77 And it shall lawfull to euery person, which doe, or shall dwell in any of the Shires of North-wales, South-wales, Cheshire, Lancashire, Westmerland, Cumberland, Northumberland, Bishopricke of Durham, Cornetwall, Suffolke, Kent, the Towne of Goddelmine in the County of Dutrey, or Yorkshire, being not within twelues Miles of the Citie of Yorke, or in any the Townes or villages nere adioyning to the water of Stroude in the Countie of Gloucester, where Cloth hath bene usually made by the space of xx. yeares last past, and hauing bene Apperitice to the occupation of Cloth making, or exercised in the same by the space of seven yeares, to set by, and exercise the feat of making, weaving, or rowing of Cloth, out of a Citie, Borough, or Market towne, as heretofore they might haue done. 4. & 5. P. & M. 5.

78 No person shall make, or cause to be made within the Shire of Gloucester, any woollen Clothes to be sold, except onely such persons as shall be dwelling within the Citie of Gloucester, the Boroughes & townes of Quesham, Dolewich, Berdminster, and Byomesgrone, within the sayd Countie of Gloucester, or in any one of them, upon payne of forf. for euery broad Cloth made by any person contra-
rie

rie to the meaning of this Act, xl. s. to the King and J. to be recovered by A. J. &c. wherein no *W.C.P.* &c. But this Act shall not be prejudiciall to any persons for making any clothes for their own, their children or servants wearing: 5. H. 8. 18. 79 It shall be lawfull to every such person which do, or shall dwell in Bocking, Westbarfold, Cockshall, and Dedham, in the Countie of Essex, or in any of them, that doe, or shall exercise the feat of making, weauing, or rowing of Cloth or Bersey, by the space of vy. yerres at the least, or haue bene *W*rentice thereto by the said space, to dwell in any of the said Townes or Villages, and to vse the making, weauing, or rowing of Cloth, or Bersey, as befoze this time they might haue done, if the sayd Act of 4. & 5. P. & M. had neuer bene made: Any L. &c. notwithstanding. 1. Eliz. 14. And it shall be lawfull to and for all and euery such person or persons, which now do inhabit or dwell, or that hereafter shall inhabit or dwell in the Townes or Villages of Worshead & Langham in the Countie of Essex, now vsing or exercising, or that hereafter shall vse or exercise the feat or myserie of making, weauing or rowing of Cloth, or Bersey, by the space of seuen yerres at the least, or haue bene, or shall be hereafter *W*rentice thereunto by the space of seuen yerres, to inhabit or dwell in the sayd Townes or villages of Worshead and Langham, and there to vse the making, weauing, or rowing of Cloth or Bersey, as befoze the making of the sayd statute of 4. & 5. P. & M. they might haue done, and as if the sayd Act had neuer been had or made: Any thing in the said Act, or any other Act &c. notwithstanding. 27. Eliz. 23.

Bocking,
Westbarfold,
Cockshall,
Dedham.

Worshead and
Langham in
Essex.

80 An 18. Eliz. 15. The foresayd Branch of the said statute made 4. & 5. P. & M. as touching onely the vse of the myserie of making, weauing, or rowing of wollen Clothes, to the intent to put the same to sale, but onely in a Market town, Citie, &c. and all penalties &c. by reason of the sayd branch, as against any persons exercising the said myserie, &c. within the Counties of Somerset, Wiltshire, and Gloucester, or any of them, be repealed and made void. But euery person being by this statute allowed to exercise the sayd myserie &c. not being by the former statute (made 4. & 5. P. & M. 5.) allowed thereunto, shall be subiect vnto such search, seise, and other orders, as other persons dwelling out of Bozoughes and Townes corporat allowed of by the said former Act, or any other statutes, were subiect vnto befoze the making of this Act. 18. Eliz. 15.

Somerset,
Wiltshire,
Gloucester.

81 No person dwelling or abiding within any of the said Counties of Somerset, Wiltshire, or Gloucester, shall vse the said myserie of making, weauing, or rowing of any wollen Cloth out of any Citie, Bozough, Towne corporat, or market towne, except onely within such houses & places in the sayd Counties, as such wollen Clothes haue bene most commonly vsed to be made, wouen, or rowed, by the space of ten yerres next befoze the making of this Act (being 8. Februarij, An 1575.) vpon paine of forfeiture for euery such Cloth made, wouen, rowed, &c. v. li. to the A. and J. 18. Eliz. 15.

Inhabitants
at the time of
the Statute.

82 Such person as shall vse the trade of Cloth making in any of the houses and places, where wollen Clothes haue been most commonly vsed to be made, wouen, or rowed, by the space of x. yerres next befoze the making of this Act (being 8. Februarij, An 1575.) within any of the Counties of Somerset, Wiltshire, & Gloucester, out of a Citie, Bozough, Towne corporat, or Market Towne, which now doth not vse the sayd trade, shall not keepe in his occupation or manurance above xx. acres of Land, meadow, and pasture, at the most. And euery person now vsing the said trade, out of a Citie, Bozough, Towne corporat, or Market towne, within any of the sayd Counties, shall not take into his occupation or manurance any Land, meadow, or pasture, but that which he now hath, or as much onely in lieu thereof, vpon payne of forfeiture for euery acre of land, meadow, & pasture, by such person occupied or manured, contrary to the tenour of this Act, for euery yeare that he

How much
land a Clothier may keepe
in his occupation.

This word
(now) is to
be construed
at the time of
the Act made.

Draperie.

he shall so occupie the same, and so vse the trade of Cloth making, vij. s. viij. d. to the Quene and Infanter. 18. Eliz. 15.

The rents of
clothiers' houses
in woyces-
ter shire.

83 The Lords and owners of the meases, tenements, or cottages, within the Citie of Worcester, or any of the Woyoughes or townes of Cussham, Droitwich, Reddeminster, and Bomesgrone, shall at no time let any mease, tenement, or cottage, sufficiently repayed within the said Citie, Woyoughes, or Townes, to any person that shall inhabit in the said Citie, Woyoughes, &c. and exercising the myserie of Clothing, at any higher rent, imposition, or charge, then was given for the same at any time within xx. yeares next before the making of this Act, (bearing 25. die Januarij, Anno Dom. 1533.) 23. H.8. 18.

Aulneger
swoyne.

84 The Aulneger shall be swoyne to do his office wel & lawfully, & in case hee thereof be found in default, & attainted before the Countrois of Sayres, Payors, or Baylives of the places where the Clothes be bought, or before any other whom the king shall assigne, he shall be one yeare imprisoned, ransomed at the R. pleasure, & put out of his office for ever: and he that will sue, shall have the one halfe. And the Aulneger shall answer aswell for his Deputie, as for himselfe. 25. Ed. 3. 1.

The Aulne-
ger shall be ex-
pert, & worthy
a C.L.

85 The Treasorer of England, or his Deputie, shall appoint no person to be Aulneger, Dealer, or keeper of the Seale, appointed for the sealing of Clothes in any part of this Realme, but such as be expert in the making of Cloth, and worthy a C.L. at the time of the said Deputation. 1. R. 3. 8.

Aulnage let
to ferme.

86 The Treasorer of England for the time being, hath authoritie to let to ferme the Subsidies & Aulnage of Clothes, which ought to be sealed (unto persons which be no strangers borne. 1. R. 7. 1.) willing to have the same to ferme by sufficient suretie, & the fermors shall have the one halfe of all the for. of all the Clothes and peces of the clothes set to sale not sealed with the said seales, to their owne vse, paying therfore, and for the said Subsidie and Aulnage, to the King at his Exchequer, such yearly summe of money, as shall be agreed betwixt the Treasorer and them, and to be accomptants to the King of the other halfe of the said forfeiture at the said Exchequer. 17. E. 4. 5.

No cloth shall
be sold before
the aulneger's
fee be payed.

87 If any Clothier do put any cloth or Kersey to sale, before he shall have payed to the Aulneger, or his deputie, the accustomed fee, or agree for the same as he hath been accustomed, he shall for. for every default xx. s. to the R. and J. to be recovered by A. J. &c. wherein no W.L. C. P. &c. 5. Edw. 6. 6. And if any person making any whole coloured Cloth, Woens, or clothes of Ray, do sold or take the same together, before the Aulneger hath duly searched or surveyed the same, that they hold their length & breadth, or dayned in the Statutes therfore provided, he shall forfeit the same. And the Aulneger which putteth the seale thereunto obtained, to Cloth which is not of Aulne, shall forfeit at the first default x. l. at the second xx. l. and at the third his bodie shall be arrested, and his goods at the R. pleasure. 11. Hen. 4. 6. But the Merchants which do buy the same Cloth to carrie out of the Realme, may sold them together, for the moze easie cartiage of them. 13. R. 2. 11.

Aulneger seal-
ing cloth wth
ting Aulne.

Cloth shall be
sealed where
it is made.

88 The Aulneger, Dealer, or keeper of the Seale, appointed for the sealing of Cloth, shall seale any whole Clothes, halfe Clothes, streits, or Kerseys, but such as shall be onely made within the Countie, Citie, Woyough, or Towne, where he shall be deputed Aulneger, Dealer, or keeper, upon payne to for. to the King for every such whole Cloth contrarie sealed, iij. l. vij. s. viij. d. for every halfe Cloth xxx. s. iij. d. for every Strait xx. s. and for every Kersey x. s. 1. R. 3. 8.

No cloth sold
before the Aul-
neger & owner
have set their
seale & marke.

89 Every Clothier putting any Clothes to sale, before they shall be sealed by the Aulneger of the said Countie, where any of them be made, or before the said Clothier hath woven his severall spars in the said Clothes, and hath set his seale of lead containing the length of the same Clothes, shall forfeit his Clothes to the R. and J. to be recovered by A. J. &c. wherein no W.L. C. P. &c. And if the Aulneger of any

any Countie doe seale any of the said clothes with the R. Seale, untill such time as they be ordered and sealed with their contents, in forme aforesaid, he shall lose his office. 27.H.8.12. But all cloth made to be sold within the Citie of Worcester, the Townes of Droitwich, Cuesham, Redermister, and Bomesgroue, in the Countie of Worcester, shalbe sealed with the seale of the Searchers there, and the owners shall not be compelled to put their owne seales to any clothes there made. And the Searchers shall haue for the searching and sealing of euery cloth, a penie, and not above. 25.H.8.18. 27.H.8.12.

90 If any Aulnager, or Collector of the Subsidie of clothes, doe set his seale to any cloth, hauing the peeces tacked & set together with threds, the same cloth shall be forfeited to the King in whose hands forner it be found. And also the Aulnager or Collector found guiltie, shall forfeit his office. 3.R.2.2. No sealing of tacked cloth.

91 Though cloth, through the default of the Tarders, Spinners, or Weauers, do proue either pursue, baudie, or squalie, by warp, or waste, or else happen to be euill burled, or wasted in the mil, or through the negligence of the Spilman, or otherwise, to be full of holes, milbzakes, or holie, yet the Aulnager shall set his seale to such cloth: But the accustomed fees and allowances shall be notwithstanding paid to the Aulnager, vpon paine of forfeiture of such whole cloth, or the value thereof. 5. Ed.6.6. 4.& 5.P.& M.5. Faultie cloth sealed.

92 The Aulnager shall take for euery cloth that is measured, which is of assise, of the seller, ob. and of the halfe cloth q. for his office, & no more, And he shall take nothing for clothes which be lesse than a halfe cloth, nor shall meddle with the measuring of any cloth, but only with the clothes which are to be sold: And such clothes the which shalbe put to sale, before they be sealed with the said seale, shalbe forfeit to the R. &c. and seised into his hands by the Aulnager, or his deputie, or otherwise by the Bailife of the towne where such clothes not sealed shalbe found. 27.Ed.3.4. The Aulnager shall take for his office.

93 If the Aulnager, or Keeper of the Seale, doe refuse to shew his Commission of his Office, to any person desiring the same, vpon the sealing or measuring of any broad clothes, straits, or kerseies, and that examined and duly proued, he shall forfeit. 17.8. 4 Ed.4.1. The Aulnager shall shew his Commission.

94 The Aulnager in Wales by himselfe, or his sufficient deputie or deputies, shall in all things to his Office appertaining, doe and answer in euery case, according as euery other Aulnager, in the Realme of England, ought to doe. And for the contrarie exercising of the said office, shall in euery case suffer, as by the Lawes and Statutes is ordained for Aulnagers vnder the R. Treasurer of England. 34.H.8. Aulnager in Wales.

95 No person shall sell, or put to sale within the Countie of Lancaster, or carrie, or cause to be carried out of the said Countie, any kind of Clothes, Cottons, Fries, or Rugs, made within the said Countie to be sold, before the owner or maker of euery such cloth, &c. shall put to the same one seale of lead, hauing the marke of euery such owner, or Clothier, ingraued on the one side thereof, & the true length of euery such Cloth, Frie, Cotton, or Rug, as it is found being wet, to be ingraued on the other side of the said seale. And also the A. Aulnager of the said Countie Palantine for the time being, vpon triall of the weight of euery such Cotton, Frie, and Rug, shall fix, or cause to be fixed to euery such Cotton, &c. the R. Seale of lead, hauing the Portcullis coloured, ingraued on the one side thereof, and the true weight of euery such Cotton, Frie, or Rug, to be ingraued on the other side of the said Seale, vpon paine of forfeiture of all and euery such Clothes, Cottons, Fries, and Rugs, conueyed, carried, sent, sold, & put to sale, or to the intent to be sold, being unsealed, contrary to the meaning of this Act, to the R. and to such persons as shall seise, or will sue for the same Cloth, &c. to be recovered by A. J. &c. wherein no W.C. p. &c. But this Act shall not be preiudiciall vnto any Charter or Libertie of any Borough, or Coppozat towne within the sayd Countie Palantine of Lancaster, concerning the making The owners marke set to Clothes in Lancashire. The Aulnager shall set his Seale.

Draperie.

making and putting to sale of any wollen cloth. 8. Eliz. 12.

The Aulnagers deputies. 96 The said Aulnager shall haue his lawfull Deputie within euerie of the seuerall Townes of Manchester, Rochdale, Bolton, Blackbozne, Werie, in the same Countie where the sayd Aulnager hath been accustomed to haue his deputie heretofore, there to be readie vpon lawfull request vnto him made, without delay to weigh euerie of the said Cottons, Fries, & Kugs, as shall be brought vnto him, and sealed with the seale of the owner or maker thereof, & to set to euerie of them the D. Seale ingraued, in maner and forme aforesaid, vpon paine of forfeiture of xx.s. for euerie packe of Cottons, Fries, or Kugs, sealed by the said Aulnager, or any of his sayd Deputies, before the same be weighed in forme aforesaid, to the D. and J. to be recovered by A. J. &c. wherein no W. C. P. &c. And it shall be lawfull for the said Aulnager, or his Deputie, to take of the owner or maker of euerie of the sayd Clothes, Cottons, Fries, or Kugs, for the weighing & sealing of euerie packe of them, iiij. s. and for euerie pece of such course Clothes, Cottons, Fries, & Kugs, not amounting to a whole packe, ob. and the same to be paid by the owner or byinger of the sayd Clothes, at the weighing and sealing of the same. 8. Eliz. 12.

Transporting of cloth. 97 No person, English, Denizen, or Stranger, shall transport, or cause to be transported into any of the parts beyond the Sea, any Cloth, Kerse, Frieze, or Cotton of the seuerall sorts before recited in the Statute of (5. Ed. 6.) vnlesse the Kings Seale, or Aulnagers Seale of this Realme, and the seale of the owner or maker of the cloth (declaring therein the length of the cloth as it shall be in the water) be set vpon euerie such cloth, vpon paine to forfeit euerie such cloth lacking the same seals, or any of them, or the value thereof, to the R. & J. to be recovered by A. J. &c. wherein no W. C. P. &c. 5. Ed. 6. 6.

Of what value cloth carried over may be. 98 No Stranger, or Denizen, shall carry, or cause to be carried out of this Realme, any wollen clothes, before they be barbed, rowed, & thorne, within the same Realme, vpon paine of forfeiture of the value thereof, to the R. and J. But clothes called Wessens, Rayes, Sailing clothes, & other clothes commonly sold at xl.s. and vnder, be not comprised in this Act. 7. Ed. 4. 3. 3. H. 7. 11. But euerie white wollen cloth sold for iiij. l. & vnder, and euerie coloured cloth sold for iiij. l. and vnder, may be carried beyond the sea, there to be sold, at the pleasure of the buyers of the said cloth, vnbared, vnshorne, & vnrowed: Any Act &c. notwithstanding. 27. H. 8. 13. But no person shall carie, or ship, or cause to be shipped, any white wollen cloth, above the value of iiij. l. or any coloured cloth above the value of iiij. l. vnrowed, vnbarbed, or vnshorne, to the intent to be conueyed into the parts beyond the sea, vpon paine of forfeiture of the same cloth, or the value thereof, to the R. and J. to be recovered by A. J. &c. wherein no W. C. P. &c. 33. H. 8. 19.

Transporting of wollen yarne or cloth not fulled. 99 No person shall carie, or cause to be carried beyond the sea, any wollen yarne, or cloth not fulled, but the wollen yarne which shall be wouen in this Realme, and also all cloth therein made, shall be fulled, and fully wrought within this Realme, before it be carried out of this Realme, vpon paine of forfeiture of the verie value of all such yarne vnwouen, and cloth not fulled, carried out of this Realme, to the R. and J. &c. 7. Ed. 4. 3.

Transporting of cloth not watered. 100 No person, Stranger nor other, shall conuey any wollen cloth over the sea, vnlesse the same cloth be fully watered, vpon paine of xl.s. 1. R. 3. 8.

No clothes wrought beyond the Sea shall be brought into England. 101 No person shall bring, or cause to be brought into the Realme of England, Ireland, or Wales, any clothes made in any other place than within the said Realmes (Clothes taken by any of the R. liege people vpon the sea, without fraud, onely except) vpon pains of forfeiture of the said Clothes, and further to be punished at the R. pleasure. 11. Ed. 3. 3. 4. Ed. 4. 1.

Clothes transported by licence. 102 For euerie nine clothes vnwrought to be shipped, or carried into any the parts beyond the seas, contrarie to the forme of any Statute in force, by force of any

any Licence, the partie that shall ship or carrie the same, shall ship & carrie over also one like wollen cloth of like sort, length, breadth, & goodnesse, readie wrought, and dyed, viz. rowed, barbed, first coursed, & shorne, from the one end to the other, so that every tenth cloth passing over the seas, in some aforesaid, shal be dyed with in this Realme, before the same shall be shipped or transported over, upon paine to for. for every such ix. clothes so to be shipped, or transported, contrarie to the meaning of this Act. x. l. to the M. and the Master and Wardens of the Companie of Clothworkers, to the reliefe of the poore of the said Companie, to be recovered by A. J. &c. wherein no W. C. P. &c. But everie such tenth cloth so to be transported readie wrought, shall not be accounted any of the clothes permitted to be transported by force of such Licence: but such person as shall have such Licence may transport according to such Licence, the full number of clothes unwrought, mentioned in the same Licence, over and above the number of such tenth clothes, which they shall be compelled to ship and carrie over by force of this Stat. 8. Eliz. 6.

103 No person shal ship, or carry beyond the Seas, contrarie to the forme of any Stat. heretofore made, now remaining in force, any cloth commonly called Kentish cloth, or Suffolke cloth, made in the Counties of Kent or Suffolke, unwrought and undyed within this Realme, that is to say, not rowed, barbed, first coursed, and shorne, upon pain to for. for every such cloth so to be shipped or transported, xl. s. to the M. & the Master & Wardens of the Company of Clothworkers, to the reliefe of the poore of the said Company, to be recovered by A. J. &c. wherein no W. C. P. And no licence for transporting of any cloth, shalbe expolled to extend to any such Kentish or Suffolke cloth, made in either of the said Counties to be transported. 8. El. 6.

104 Each Kersie called Denonshire Kersie, or Dozen, which shalbe made and woven within the Countie of Devon, or any other County next adjoining there, unto, being raw, unscoured, untucked, & untwet, as it cometh from the Weavers beame, & being made of cleane & perfect stuffe, viz. of woll shorne, clenfed, & throughly washed, or scoured, after the shearing, & before the weaving, without any fraud, deceit, policie, or device, or any stuffe thereunto deceitfully or unlawfully added in the working, or after the working thereof, for increase of the weight, shall weigh in the Sack 15. l. or upwards. 35. El. 10. S. Br. 14. 15. 144.

105 Every raw Denonshire Kersie or Dozen, woven & made in the said Countie of Devon, or any of the other Counties adjoining, being a rudge wash kersie, viz. being made of fletce wool washed only on the sharps back, & the wool not being clenfed, washed, & scoured, after it is shorne, & before it is woven, shal without any fraud &c. weigh in the market 17. l. at the least, being raw as it cometh off the Weavers beame, & each & every of the same Denonshire Kersies or Dozens, so being raw, and as it cometh forth of the Weavers loome (without racking, stretching, straining, or other device, to increase the length thereof) shal contain in length between 15. and 16. yards by the measure of yard & ynch by the rule, without which obseruation of weight, being raw, they cannot fall out (after they be wel scoured, thicked, and fully dyed) to containe the length & weight expessed & limited in the Stat. of 4. & 5. P. & M. viz. 12. yards in length, & 12. l. in weight. 35. El. 10. S. Br. 14. 15.

106 If any Weaver shal worke or make any of the said kinds of kersies, of lesse weight or measure than is before mentioned after their kind, every such offender shall forfeit for everie quarter of a pound in weight, which any of the said raw Kersies or Dozens which shal be brought to any Sack, or sold, or suffered to be sold, shall want of their weight aforesaid, ry. d. And for every quarter of a yard which shall be wanting in length of either sort of the said kersies, likewise being sold, or offered to be sold, ry. d. And each sort of the said kersies or dozens shall be sewantly woven throughout of well & like sorted yarne: And no Weaver shall use any device in the bignesse or goodnesse of his yarne in any part of the said kersies, saving

Kentish and Suffolke cloth shall not be transported unwrought, by any licence.

Denonshire kersies raw.

Rudge wash kersie.

weight.

The weavers penaltie.

The Dozens shalbe sewantly wrought throughout.

Draperie.

uing onely in the listts, no; vse any other practise in the edging or weauing of any the same Bersties or Dozens, to make the same same finer nere the edge or listts than in other parts of the same cloth. 35. Eliz. 10.

**I weaue
shop marke.**

**I purrell at
each end.**

107 Each Weauer shall weaue his shop marke of some coloured yarne in the end of euery Berstie which he shall weaue or make, and shall also at each end of euery of the same Bersties weane one purrell likewise of coloured yarne, of the breadth of thre quarters of an ynch at the least, whereby the deceitfull cutting and diminishing of such clothes by Tuckers, or Fullers, heretofore vsed, may henceforth be prevented. And if any Weauer shall vse any deceit, in mingling his yarne, or shall omit his shop marke, or shall not weane in euery Berstie two purrells, according to the tenor of this Act, he shall forfeit and lose for euery offence to the contrarie, r. s. 35. Eliz. 10.

**Dozens shall
be viewed,
weighed, and
marked.**

108 No Weauer, no; any other person whatsoever, shall offer, or put to sale any of the same raw Bersties, called Dozens, before the same haue bene viewed, weighed, and marked, in some Citie, Towne or port, or Market towne, and allowed by such officer, & marked with such markes as shall be there in such Citie or Towne, vsed & appointed for that purpose, vpon paine to forfeit & lose for euery cloth sold, or offered to be sold to the contrarie, r. s. to the M. and the principall Officer or Magistrate of the Citie, Towne or port, or Market towne, next adioyning to the dwelling or working place of such Weaue as shall offend in any of the premises, if he the same Officer or Magistrate shall first make seisure thereof, or else to the principall Officer of that Citie, Towne or port, or Market towne, where the same shall be sold, or offered to be sold: To be recovered by Action of debt, B. P. or J. with costs, in any Court of Record, wherein no W. C. P. &c. 35. Eliz. 10.

Searchers.

109 The principall Officer or Magistrate for the time being, in euery Citie, Towne or port, or Market town, of the said County, or of any other of the Counties adioyning, where any such Bersties, called Deuonshire Bersties, or Dozens, now are, or hereafter shall be wouen, made, offered or put to sale, shall euery yere from henceforth appoint and haue in readinesse at all times nextfull, two or more discreet persons, which shall be speciall and knowne Officers and Searchers, which shall attend, and shall be at his or their entrie into his or their said office sworn during his and their continuance in the said office, truly to view, weigh, and marke each Berstie, called a Dozen, in such Citie or Towne, or any of them, made, sold, or offered to be sold, or put to sale, and to present each offence of defect, which shall there fall out, contrary to the true meaning of this Statute: Euery which Searcher or Officer so to be hereafter appointed for this purpose in any such Citie, Towne or port, or Market towne, shall haue authoritie to enter in the day time, into all shops, warehouses, wo:ke-houses, and other places conuenient of the same Citie or Towne, where he or they shall be so appointed, there to view, search, & see whether any Berstie or Dozen be made, sold, or offered to be sold, contrary to the true meaning of this Act, and also to see what paines, penalties, & forfeitures shall be growne due to her Maie: by any weauer, seller, or buyer, within the liberties & precincts of the same towne, taking onely of & for the weighing & marking of euery Berstie, a farthing for his paine, and so according to the number, and no more, which farthing vpon euery Berstie is to be paid by the seller of the same Berstie. 35. Eliz. 10.

**The Searchers
authoritie.**

**Searchers
not appointed
or not attendant.**

110 If such Searchers and Officers shall not be yearely appoynted and attendant at all times reasonable & conuenient, or shall neglect his or their duties in the true search, weighing, and marking of the said Bersties, or any of them, or shall marke any one Berstie which wants of his weight, as is aforesaid: then and in euery such case the chiefe Magistrate of euery such Citie and Towne, shall forfeit and lose for euery such offence of their Searcher or Searchers, twentie shillings, and for euery Market day they shall want two or one at the least of such Searchers the

the summe of sixtie shillings to be lemed as hereafter is expressed. 35. Eliz. 10.

111. No manner of person or persons whatsoeuer, shall buy any such raly kerse called Denonshire Berles or Dozen, in any Market, or elsewhere, unless the same shall be first tried, weighed, & marked, by the Officers of some Citie, Towne or port, or Market towne, as is aforesaid. And no Cleaner, Tucker, Fuller, or other whatsoeuer, shall dresse, or cause to be dresed any of the said raly clothes called Denonshire Berles or Dozens, unless the same be first tried, weighed, & marked in some one Market towne by the searcher or searchers there in that behalfe appointed, vpon paine of forfeiture of euery such kerse so bought, dresed, or put to dresing, which shall not before be tried & marked, as is aforesaid mentioned. No Clothier, Tucker, Fuller, or other person whatsoeuer, shall at any time from henceforth cut or diminish the length of any Berse, called a Denonshire Berse, or Dozen, and after offer or put the same to sale, as a whole kerse, or Dozen, vpon paine of forfeit of xx. s. for euery of the same Berles or Dozens so cut or diminished, to the R. and J. to be recouered by A. B. P. or J. with costs, wherein no P. W. or C. ac. 35. Elizabeth. 10. 1 Jac. 25. This Act to endure vntill the end of the first Session of the next Parliament.

No Doze shall be bought or dresed, before it be tried.

Diminishing the length of a Dozen.

The forfeiture.

112. No person or persons within any the Counties of Yorke, Lancaster, or any other the Counties on the Northside of Trent, shall stretch, or straine, or cause to be stretched, any Clothes, Dozens, Berles, Penistones, Kugs, Frizes, Highley whites, plaine Graies, or any other Clothes, by what name or names soeuer they be called, made or hereafter to be made within the said countie of Yorke, Lancaster, or any other the counties on the North of Trent, vpon paine to forfeit for euery default v. l. 39. Eliz. 20. S. Br. 58. 124. 127.

Stretching or straining of Northerne Cloth.

113. No person or persons within the Counties aforesaid, or any of them, shall hane, vse, or occupie any Tenter, of what sort or kind soeuer, or any manner of wrench, rope, or other engines, to stretch or straine any Clothes, Berles, Dozens, Penistones, Kugs, Frizes, Cottons, Highley whites, plaine Graies, or any other cloth of what kind or name soeuer it or they be called, made, wrought, or to be made or wrought within the said counties, vpon paine that euery offendo; that shall haue or vse, or exercise any such tenter, of what sort or kind soeuer, or any maner of rope, wrench, ring, head, or engine, shall forfeit for euery such default twentie pounds. 39. Eliz. 20. S. Br. 58. 123. 124. 127.

No tenter, rope, or wrench to strain Northerne cloth.

114. Euery person or persons within the Counties aforesaid, or any of them, which shall make, or cause to be made, any Clothes, Berles, Dozens, Cottons, Penistones, plain Graies, Highley whites, Frizes, or any other Cloth, by what name or names soeuer it or they be called, shall make the same of such weights, lengthes, and breadthes, as by the Statutes of this Realme already in force is provided, vnder the paines in the same Statutes contained, and before the same be sold, or offered to be sold, shall set his Seale of Lead vnto euery of the same Clothes, Berles, Dozens, Cotton, plaine Graies, Penistones, Highley whites, Frizes, or by what name or names soeuer it or they be called: In which sayd Seale of Lead shall be contained, the true and iust length, and the true and iust weight at the least, of euery such Cloth, Berse, Dozen, Cotton, Peniston, plaine Graies, Highley whites, Frizes, &c. as it shall be duely found by due proofe thereof to be tried by water or weight, vpon paine to forfeit euery Cloth, Berse, Dozen, Cotton, Peniston, plaine Graies, Highley whites, Frizes, or other Cloth, &c. which shall be made within any the Counties aforesaid, whereunto such seale as is aforesaid shall not be put and set. And in case vpon proofe to be made by water or weight any such Clothes, Berles, Dozens, Cottons, Penistones, plain Graies, Highley whites, Frizes, or any other Cloth, as is aforesaid, shall be found of lesse weight, or of smaller content in length than is contained or specified in any of the said seales, the owner of euery such

A seale of lead containing the length and weight.

Draperie.

Clothes, Kerfies, Dozens, Cottons, Penistones, plaine Crapes, Higley whites, and Frizes, or any other Cloth, &c. or any other person or persons, in whose hands or possessions any such Clothes, Kerfies, Dozens, Cottons, Penistones, plaine Crapes, Higley whites, Frizes, or any other Cloth, shall be found, shall forfeit for every yard wanting in length iii. s. and for every pound wanting in weight ii. s. 39. Eliz. 20.

The forfeit-
ture.

115 And for the better and more speedie and effectuell reforming of all such abuses, as is aforesaid, in every Parish, Towne, Village, & Hamlet, within the Counties aforesaid, where any Clothes, Kerfies, Dozens, Cottons, Penistones, playne Crapes, Higley whites, Frizes, or any other Cloth, by what name or names soever they be called, shall be made or sold, the Justices of peace of the same Shire, or Riding, or two of them at the least, and in every City, Borough, or Towne corporate, the head Officer or Officers of every the same Citie, Borough, or Towne corporate, together with some one or two of the Justices of the peace of the Shire or Riding next adjoining to such Citie, Borough, or Towne corporate, shall have full power & authoritie, and shall by vertue of this Act, once every yeare at the least, and as often as they shall thinke good, to convene, and call before them by their precept, or otherwise, two, foure, six, or eight, or more, as they shall thinke good by their discretion, of the most honest, discreet, & able men of every such City, Towne, Village, Hamlet, or Parish, where any Cloth shall be made or sold, and them shall constitute, or chaine, & appoint to be Quersers for one whole yeare, or six monethes, or shorter time at their discretions, then next following, within the City, Borough, Towne, Village, Hamlet, or Parish, where the same Quersers shall be dwelling, & shall and may take them thowne, & bound in Recognisance of xli. s. a piece, to the use of the D. and her successors, to doe their best endeavour by all lawfull wayes & means for their time, to see that this Statute in all points shall be truly observed & kept within the limits of their charges in every part thereof: And the same Quersers, or two of them, shall once every moneth at the least, or so often as need shall require, or they shall thinke fit by their discretions by force thereof, visit and go into all or any house or houses, shops, or other rooms of any Clothiers, Drapers, Clothworkers, or of any other person or persons whatsoever, where any of the said cloth shall be, & there to make one search, & view the same made, or remaining to be sold, & to take, search, and trie, as well by weight, water, or any other way whatsoever, the said Clothes, Kerfies, Dozens, Cottons, Penistones, Higley whites, and Frizes, or any other Clothes, &c. And if any Clothes aforesaid, upon search thereof, shall not be found to be sealed with a seale, containing the length & weight, as aforesaid, then the Clothier and every owner of the said cloth, shall forfeit every such cloth, kerfies, dozens, cottons, penistones, Higley whites, & frizes, or any other cloth, &c. made within the Counties aforesaid, not so sealed & sold, or offered to be sold. And the said Quersers and every of them, shall & may seise & carrie away the same so forfeited, as aforesaid, & present the same to the Just. of P. at the next Quarter Sessions, to be by them disposed of, as hereafter is in these presents limited & appointed. And if the said Quersers shall find any false seale or marke to be set upon any cloth aforesaid, or shall upon search, as aforesaid, find the same clothes aforesaid to be stretched or strained, then the same Quersers shall present the same defaults unto the Justices at the next Q. Sessions, & the names of the owners or possessors of such clothes, kerfies, dozens, cottons, penistons, Higley whites, and frizes, or any other clothes, &c. so found defective. And if any manner of person or persons shall denie, withstand, or withhold any clothes, kerfies, dozens, cottons, penistones, Higley whites, and frizes, or any other cloth, &c. from the said Quersers, or any of them, or will not suffer them to enter into any of the houses, shops, rooms, or other places, where any such clothes shall be, then every such person or persons so denying, or withholding shall

Quersers appointed by the
Justices and
head officers.

The Quers-
ers may
make search.

The Quers-
ers may seise
& carrie away
the faultie
cloth.

The Quers-
ers present-
ing the fault
at the Quar-
ter Sessions.
Withholding
of faultie cloth
or denying of
search of the
cloth.

shall for the first offence forfeit and lose x.l. & for the second offence xx.l. & for the third offence, being thereof lawfully convicted by verdict of xij. men, and two sufficient witnesses, shall stand upon the Pillorie in the next Market towne: And if any of the said persons so commanded to appeare, to be made Duerfers, as aforesaid, & having no reasonable excuse, refuse to come, & take upon him or them to be Duerfers, as aforesaid, then every such person so refusing, & having no reasonable excuse so to do, shall forfeit for every such refusing v.l. the one halfe thereof to be to the Duene & her successours, and the other halfe to the Ju. of the Peace, or other head Officer or Officers, by whose commandment he was appointed to appeare to be Duerfer: & the same Duerfers so offending, to remaine in the ward of the Shirife, Bailife, or other head Officer, until such time as he hath made payment of the forfeiture, or otherwise put in sufficient bond for the satisfaction of the same. 39. Eliz. 20.

The forl

Refusing to be Duerfers

116 And to the end that the said Clothes, kerries, dozens, cottons, penistones, Righley whites, and frizes, or any other Clothes, by what name or names soever they be called, so to be viewed and searched, may be the better knowne: Wherefore the said Duerfers shall fixe vnto every kind of the Clothes aforesaid, a Seale of lead, containing the length and the weight of every such Clothes (together with this word, Searched) which Cloth so sealed by the said Duerfers, shall not be searched, tried, or viewed, by any other Searcher or Duerfer of any other Citie, Borough, Towne, Village, Parish, or Hamlet, by vertue of his or their said Office or Offices: Any thing in this act, or in any other Statute to the contrarie notwithstanding. 39. Eliz. 20. Be it enacted, That from henceforth all Cogware, Kendals, course Cottons, and Carptmeales, which are or hereafter shall be made within the counties of Cumberland and Westmerland, or within the Townes & Parishes of Carptmeale, Watkhead, & Broughton, in the countie of Lancaster, whereof the Dozen shall not exceed the rate of price of xij. s. iij. d. shall be made in such sort as may best please the buyer. And shall not be searched nor sealed with any of the said Seales, nor with any other seale, nor any Subsidie or Aulnage great or little paid for the same: But the Owners of such Cogwares, Kendals, course Cottons, and Carptmeales, may freely sell the same not sealed, as they have bene accustomed, without forfeiting any thing to the King for the same, any Law or Statute, or any Branch or Clause of any Law or Statute heretofore made to the contrarie notwithstanding. 7. Jacobi 16.

The Duerfers shall fixe a seale of lead to the Cloth.

Certaine course cloth made in the North parts, which shall not be searched nor sealed.

117 If any person or persons, but such as are appointed, assigned, and permitted by this Act, or their Seruants, or Deputies, do at any time counterfeite, or set to, or willingly and wittingly take away from any the said Clothes, Kerries, Dozens, Cottons, Penistones, Righley whites, and frizes, or any other Cloth, by what name or names soever they be called, made within the Counties aforesaid, any of the Seales so to be fixed, as above is recited, then every person so offending, shall for the first offence forfeit and lose tenne pounds, and for the second offence, being thereof lawfully convicted by the verdict of twelve men, or two sufficient witnesses, stand upon the Pillorie, and forfeit to the Duene her heires and successours xx. li. 39. Eliz. 20.

Setting seals to clothes, or taking them away without warrant.

118 And to the end that the said Statutes & Lawes aforesaid, may be the more effectually executed, and all stretching and skaining, and falsifying of any the Clothes aforesaid taken away, Every Justice of Peace, head Constable, or other the Duerfers aforesaid, shall have full power and lawfull authoritie to enter in, or upon any the messuages, tenements, houses, buidings, lands, or grounds of any person or persons whatsoener, to search for any such Winters, of what sort or kind soener, or any manner of ropes, rings, heads, wenchies, or other engines whatsoever, whereby any falshood or deceit may be used, in, and about the stretching and skaining of any of the said Clothes, Kerries, dozens, frizes, cottons, penistones, Righlies,

Authoritie to search for tents, ropes, wenchies, &c.

Draperie.

The punish-
ment of the
second offence.

highlies, and whites, or any other Cloth, &c. And if they should find any such Wenter, of what sort or kind soever, or any manner of ropes, rings, heads, wrenches, or engines, they shall and may utterly deface the same, in such sort as they cannot be employed againe to any such vse. And if any person or persons, with whom any such shall once haue bene found, shall after that he knowe to haue or vse any such Wenter, of what sort or kind soever, or any manner of rope, ring, head, wrench, or engine, then they the said Iustices, head Constables, or Quersiers, or any of them within the severall precincts, shall take and sell the same to the best valye thereof, and by the consent of two Iustices of peace, within the same Countie, dispose the money thereof comming, to the poore of that parish where the same shall be so taken: and that upon complaint made, or information given of any such Wenter, of what sort or kind soever, or any manner of rope, head, ring, wrench or wyng, or any other engine, to any Iustice of peace, everie one of them to whom such complaint shall be made, or information given, shall within viij. dayes next ensuing such complaint or information given, repaire to the place, where the same shall be so had and vled, & then and there execute this Law, as aforesaid, upon the paine hereafter in this present Act expressed: And if any person or persons shall withstand or resist any such Iustice of peace, or head Officers, in or about, touching or concerning the execution of the premises, every such person or persons shall forfeit & suffer as is before limited, for resisting the Quersiers in the search. 39. Eliz. 20.

Resisting a
J. of peace to
execute his
authoritie.

The sort of a
J. of P. for
omitting his
dutie.

How the sort
shalbe divided
and employed.

119 And if any the Iustices or Iustice of peace, within the limits or bounds of his or their Commission, shall be negligent, or make default in doing of any thing, touching or concerning the due or true execution of this Statute, or any thing therein contained, everie such Iustice of peace, for everie such default, shall forfeit and lose v.l. And all such forfeitures as shall happen or grow by reason of this Act, shal be, one third part thereof to such person or persons as shall be then Quersiers, one other third part to the vse of the A. & the other third part to the vse of the poore, in such sort as the Just. of P. in their Quarter Sessions to be holden next after iudgement had or given for the same, shall limit and appoint. 39. El. 20.

J. of P. shall
inquire, heare,
& determine
the offences.

J. of P. shall
inquire, heare,
& deter-
min the offen-
ces of the Ju-
stices of peace

120 And the said Iustices of the peace in their Quarter Sessions shall & may inquire, heare, and determine every fault or offence made or done contrary to this present Act, or any thing therein contained, except the offences committed and forfeitures made by the Iustices of peace, by presentment, Bill, or Information, and upon promise thereof made by the testimony of two sufficient witnesses openly given to the Iurie, and there upon presentment made by the Iurie, to give order for the execution of this Statute, and every clause therein contained, and for the recoverie of the penalties aforesaid, to the vse aforesaid. And the Iustices of Assise shal and may inquire, heare, and determine every fault or offence made or done by any Iustice of peace, contrary to this present Act, in neglect of their dutie, in or about, touching or concerning the execution of this present Act, and upon promise thereof made by two sufficient witnesses, and by the presentment of the Iurie, shall & may give order for recoverie and employment of the penalties and forfeitures by them committed and made, to the vles aforesaid: And for default of iustice to be done in manner and forme aforesaid, by the Iustices of peace, or Iustices of Assise, When the one moitie to be to the A. the other to the J. to be recovered by A. B. P. J. in any of her Majesties Court or Courts of Record at Westminster, in which no W. P. C. &c. 39. Eliz. 20.

Fortherne
Clothes
brought to
London to be
sold.

121 Provided neuerthelesse, That all and every kind of Clothes aforesaid, by what name soever they be called, which shalbe made within the Counties aforesaid, and brought up to the Citie of London to be sold there, shall be brought into the common Cloth Market place within the said Citie, commonly called Blackwell Hall, to be there searched vze, without wetting, and out of the Market times, by the

the searchers of the said Citie, vpon paine that euery owner of any such Cloth, shall forfeit for euery such Cloth not so brought into the Market, xl.s. and vpon paine that euery searcher that shall search at any time in the Market times, to the disturbance of the sale of such Clothes in the Market there, shall forfeit for euery such search so made v. li. All which said forfeitures shall be the one moiety to the Quene her heires and successors, the other to the A. to be recovered by A. J. wherein no W. P. C. 43. Eliz. 20.

122 No person or persons shall put any Haires, Flockes, Thrummes, or Parne made of Lambes Woll, or other deceivable thing or things, in, or vpon any broad Wollen Cloth, halfe Cloth, Kersey, Frize, Dozen, Penyston, or Cotton, Taunton Cloth, Bridgewater, Dunster Cotton, (which Dunster Cotton hereafter shall be by this Act intended and taken to be of like weight, length, and breadth, as Taunton and Bridgewater Cloth) or other Cloth, of what nature, kind, or name soeuer made, or to be made to be sold, or offered to be sold, vpon paine to forfeit euery such Cloth, halfe Cloth, Kersey, Frize, Dozen, Penyston, and Cotton, and other wollen Cloth, of what nature, kind, or name soeuer, whereinto, or whereupon any such Haire, Flockes, Thrummes, Parne, or Lambes woll, or other deceivable thing or things whatsoever shall be so put: Any Law, statute, dispensation, &c. notwithstanding. And vpon paine that euery person and persons, which shall buy, gather, or procure any Haire, Flockes, Thrummes, Parne, or Lambes woll, or other deceivable thing or things whatsoever, for that intent and purpose, to forfeit the same Haire, Flockes, Thrummes, &c. 43. Eliz. 10. See Br. 57. 155.

No deceivable thing shall be put in cloth.

Gathering of deceivable things.

123 No person or persons within this Realme of England, or the Dominions of the same, shall haue, vse, or occupie within any place of the said Dominions, any Tenter, Instrument, Engine, or other deuise, of what sort or kind soeuer, with any lower barre, pynne, ring, or other engine, or deuise, of what sort or kind soeuer, whereby, or wherewith any rough and unwrought wollen broad Cloth, halfe Cloth, Kersey, Cotton, Dozen, Penyston, Frize, Rug, or any other rough and unwrought wollen Cloth, of what nature, kind, or name soeuer they be, or shall be of, made, or to be made to be sold, shall or may be stretcheed or strained in breadth, or shall haue, keepe, or vse any manner of wyench, ringhead, growme, rope, or other ingine, to stretch, or straine any rough and unwrought wollen Cloth, halfe Cloth, Kersey, Cotton, Dozen, Penystone, Frize, Rug, or any other rough and unwrought wollen Cloth, of what nature, kind, or name soeuer they be, or shall be of, in length, made, or to be made to be sold: Vpon paine that euery offender, that shall haue, keepe, vse, or exercise any such tenter, instrument, engin, or deuice, with a lower barre, pyn, ring, engine, or deuice, wyench, ringhead, growme, or rope, of what sort or kind soeuer, shall forfeit for euery such offence xx. li. to the A. and J. that will sue for the same by W. P. or J. in any of the A. Courts of record, wherein no C. P. or W. 43. Eliz. 10. See Br. 58. 113. 114.

Stretching of Cloth unwrought.

124 No person or persons within England, or the Dominions of the same, shall set, or cause to be set directly or indirectly, any wrought Wollen broad Cloth, halfe Cloth, Kersey, Cotton, Dozen, Penystone, Frize, Rug, or any other wrought wollen Cloth, of what nature, kind, or name soeuer they be, or shall be of, made for sale, or offered to be sold, in, or vpon any tenter, instrument, engine, or deuice, with a lower barre, pyn, ring, engine, or deuice, wyench, ringhead, growme, or rope, of what sort or kind soeuer, to stretch or straine the same wrought wollen Cloth, halfe Cloth, Kersey, Cotton, Dozen, Penyston, Frize, Rug, or any other wrought wollen Cloth, of what nature, kind, or name soeuer they be, or shall be of, otherwys then the whole broad Wollen Cloth, one yard in length, and one halfe quarter in breadth: And the halfe Cloth one halfe yard in length, and one halfe quarter in breadth: And the Kersey, Cotton, Dozen, Penyston, Frize, and Rug, one

No wrought wollen Cloth shall be stretched.

Draperie.

None shall sell
woollen cloth
tentered.

one halfe yard in length, and one quarter in breadth: Or shall utter or sell any wrought woollen cloth, halfe cloth, Kerlie, Cotton, Dozen, Penistone, frize, Kugge, or any other wrought woollen cloth, of what nature, kind, or name soever they be, or shall be of, tentered, strained, or stretched, otherwise than as aforesayd, in, or vpon any tenter, instrument, engine, or deuice with a lower barre, pinne, ring, engine, or deuice, wrench, ringhead, gromme, or rope, of what kind or (or) soeuer, vpon paine to forfeit euerie such woollen cloth, halfe cloth, &c. 43. Elizab. 10. S.Br., 8.113.

The Clothier
er shand to the
Marchants
booke, for de-
fects in cloth.

125 No Marchant or buyer, which shall transport, or cause to be transported beyond the Seas, any broad woollen cloth, halfe cloth, Kerlie, Cotton, Dozen, Penistone, frize, or Kug, or any other woollen cloth, of what nature, kind, or name soever they be, or shall be of, by reason of any Clothiers, or Sellers of any broad woollen cloth, halfe cloth, Kerlie, &c. so transported, his hand to such Marchant or buyers booke, bill, or thicket, for, or touching any defects, shall take any benefit or advantage. 43. Eliz. 10.

Unwrought
cloth tentered,
transported &
returned,

126 Provided neuertheless, That if any unwrought cloth, halfe cloth, Kerlie, Cotton, Dozen, Penistone, frize, Kug, or any other unwrought woollen cloth, of what nature, kind, or name soever they be, or shall be of, transported beyond the Seas, shall be found to haue bene formerly tentered, strained, and stretched, by the meanes or consent of the maker or seller thereof, contrarie to the true intent of this Act: When such Marchant or buyer shall or may at his owne costs and charges retorne the same into this Realme, and after such retorne, deliver, or cause the same to be deliuered vnto the maker or seller thereof, with the scales thereunto limited by this present Act, to be fired, and thereupon shall or may recouer the value thereof, so returned, by Action of Debt, B. P. or J. in any of the M. Courts of Record, against the maker or seller thereof, by whose meanes or consent the same was so tentered, strained, and stretched. 43. Eliz. 10.

The Statute
made for
Poytherne
clothes, shall
extend to all o-
ther clothes.

127 The Statute made 39. Elizab. 20. as to, for, touching, and concerning Viewes, Seales, Searches, appointment of Quersers, Quersers Penalties, and authoritie given to Iustices of Assise, Iustices of Peace, head Officers of Cities, Boroughes, and Townes Corporat, and other person and persons, of, and for Poytherne Clothes, in the Countie of Yorke, Lancaster, and other the Counties on the North of Trent, shall respectively extend vnto all and singular woollen broad clothes, halfe clothes, Kersies, Cottons, Dozens, Penistones, frizes, Kugges, and all other woollen cloth, of what nature, kind, or name soever they be, or shall be of, made and to be made within England, to be viewed, sealed, searched, overseene, subiected to penalties, and authoritie given to Iustices of Assise, Iustices of peace, and other person and persons, in such and the like manner and forme, and to such and the like purposes and intents respectively, as is limited and appointed for such sayd Poytherne cloth. And such as shall offend against the sayd Act of 39. Elizab. obseruing and performing this Act, shall not incurre any penaltie mentioned in the sayd Act. And all and euery article, clause, and sentence, in any Act of Parliament heretofore made, touching or concerning the abuses of clothes in this Act mentioned, and being repugnant and contrariant to any Article or Sentence in this Act, shall be utterly void. 43. Eliz. 10.

Offenders a-
gainst the Stat.
of 39. Eliz. and
performing
this.
It repeale of
all former stat.
contrary to
this.
Clothes sea-
led by Quers-
ers.

128 Euerie broad woollen cloth, halfe cloth, Cotton, Kerlie, Dozen, Penistone, frize, Kugge, and euery other woollen cloth, of what nature, kind, or name soever they be, or shall be of, sealed by the Quersers authorized by this Act, shall not be brought to be viewed, searched, and seene, nor shall bee searched, tried, or watered, by any other Searcher or Querser of any Citie, Borough, Towne, Village, Parish, or Hamlet, by vertue of his or their Office or Offices: any Statute, matter, or thing, to the contrarie thereof in any wise notwithstanding. But this Act shall not

not extend to take away or abridge from any lawful Aulnager, any power or right alreabie giuen vnto him by her Maiesties Letters Patents, for the vieweing, sear- ching, or seising of any clothes put to sale contrarie vnto the Lawes heretofore made in that behalfe. 43. Eliz. 10. 1. Jac. 25. To continue vntill the end of the first Session of the next Parliament.

The Tuna-
gers authority
referred.

129 From and after fourescore dayes next after the end of this Session of Parliament, every long broad Cloth and Clothes, which shall be made of dyed wools, and mingled colours, within any of the Shires of Kent, Dorke, or at the Towne of Reading, or elsewhere of like making, shall containe in length at the water, every peece being throughtly wet, betwene thirtie, and foure and thirtie yards, euerie yard, yard and ynch of the Standard, and no more, and in breadth six quarters and a halfe of a yard at the least, within the lists, by the whole length of the same Cloth. And euerie peece of the same Cloth being well scoured, thicked, milled, and fully dyed, shall be in weight eightie six pounds at the least. 4. Jac. 2.

The length,
breadth, and
weight of
broad clothes
dyed.

S. Br. 5.

130 Euerie white Cloth which shall be made within the Citie of Worcester, Coventrie, and Hereford, commonly called Long Worcester, or elsewhere of like making, shall containe in length, being wet, betwene thirtie and thirtie thre such sayd yards and ynches as aforesayd, and shall be in breadth seven quar- ters throughout all the whole Cloth, and being cleane scoured, thicked, milled, and fully dyed, shall weigh seuentie eight pounds at the least. 4. Jac. 2.

Long Wor-
cesters.

S. Br. 6.

131 All and euerie long coloured Clothes, commonly called Plunkets, Azures, and Blewes, and long white Clothes, which shall be made in any of the Shires of Suffolke, Sozfolke, and Essex, or elsewhere of like making, shall containe in length, being wet, betwene twentie nine and thirtie two such yards and ynches as is aforesaid, and shall be in breadth six quarters and one halfe quarter within the lists at the least, and being well scoured, thicked, milled, and fully dyed, shall weigh eightie pounds at the least. 4. Jac. 2.

Plunkets, Azures,
Blewes, and long
white clothes.

S. Br. 9.

132 All and euerie short Clothes coloured, and short white Clothes, com- monly called Shorting Clothes, which shall be made in any of the Shires last before mentioned, or elsewhere of like sort and making, shall contayne, be- ing wet, in length betwene twentie thre and twentie six such sayd yards and ynches as is aforesaid, and in breadth throughout the whole peece, six quar- ters within the lists at the least, and being well scoured, thicked, milled, and fully dyed, shall weigh sixtie four pounds the Cloth at the least. 4. Jac. 2.

Short clothes
coloured, or
white, viz. short-
ing clothes.

S. Br. 10.

133 All and every short Clothes coloured, and short white Clothes, commonly called fine short Suffolkes, which shall be made in the Shires last before mentioned, or elsewhere of like making, shall containe, being wet, in length betwene thre and twentie and six and twentie such sayd yards and ynches as is aforesaid, and in breadth throughout the whole peece, six quarters and a halfe within the lists at the least, and being well scoured, thicked, milled, and fully dyed, shall weigh sixtie four pounds the Cloth at the least. And euerie such Shorting short cloth, shall be differenced from the sayd fine Clothes last before mentioned, by a blew seluege or edging on both lists. 4. Jac. 2.

Fine short
Suffolkes.

S. Br. 10.

134 Euerie white Cloth, which shall be made within the same Shires be- fore mentioned, or elsewhere of like making, commonly called Warshawpes, shall containe in length betwene twentie nine and thirtie two such sayd yards and ynches as is aforesaid, and in breadth seven quarters, and being well scoured, thicked, milled, and fully dyed, shall weigh seuentie six pounds at the least. 4. Jac. 2.

Warshawpes.

S. Br. 11.

Draperie.

Azures, plunkets, & blewes made in Somerset and Wiltshire.
S.Br. 13.

135 All broad plunkets, Azures, Blewes, and other coloured cloth, which shall be made within the Shires of Wiltshire and Somersetshire, or elsewhere of like making, shall containe being thoroughly wet, betwene twentie five and twentie eight such yardes and ynches as is aforesaid, and in breadth five quarters and a halfe within the Listes, and being well scoured, thicked, milled, and fully dyed, shall weigh firtie eight pounds the cloth at the least. 4. Jacobi 2.

Shoyt clothes of died wools and mingled colours made in Dorsetshire.

136 Every cloth, commonly called shoyt clothes, which shall be made of died wools, and mingled colours, within the Countie of Dorset, or elsewhere of like making, shall containe in length, being thoroughly wet, betwene twentie thre, and twentie five such yardes and ynches as is aforesaid, and in breadth six quarters and an halfe betwene the Listes, and being cleane scoured, thicked, milled, and fully dyed, shall weigh firtie five pounds the cloth at the least, and every halfe pece thereof, commonly called Dozens, to be made and wrought after the same rate in every respect. 4. Lac. 2.

Broad listted whites and reds.
S.Br. 12, 18.

137 All broad listted Whites and Reds which shall be made in any of the Counties of Wiltshire, Gloucestershire, Dorsetshire, and the Easterne limits of Somersetshire, or elsewhere of like making, commonly called soytting packe broad listted Clothes, shall containe in length being wet, betwene twentie five and twentie eight such said yardes and ynches as is aforesaid, and shall be in breadth five quarters and a halfe throughout the whole cloth at the least, and being cleane scoured, thicked, milled, and fully dyed, shall weigh every pece of the same cloth firtie four pounds the cloth at the least. 4. Lac. 2.

Soytting pack clothes.

138 All narrow listted Whites and Reds which shall be made in Wiltshire, Gloucestershire, Dorsetshire, and the Easterne limits of Somersetshire, or elsewhere of like making, commonly called soytting packe Clothes, shall containe in length being wet, betwene twentie five and twentie eight such said yardes and ynches as is aforesaid, and shall be in breadth within the listes, five quarters and a halfe throughout the whole cloth at the least, and listted with narrow listes, as hath bene accustomed for soytting packe clothes, and being cleane scoured, thicked, milled, and fully dyed, shall weigh every pece being white, firtie one pounds at the least, and being redde, shall weigh firtie pounds the pece at the least. 4. Jacobi 2.

Fine clothes with plaine listes.

139 Every fine Cloth with plaine listes made in the Counties of Wiltshire, Gloucestershire, Somersetshire, and Dorset, or elsewhere of like making, shall containe in length betwene twentie nine and thirtie two such said yardes and ynches as is aforesaid, and in breadth five quarters and a halfe betwene the listes throughout the whole cloth, and being cleane scoured, thicked, milled, and fully dyed, shall weigh seuentie two pounds at the least. 4. Lac. 2.

Clothes having stop listes.

140 All and every Clothes, having stoppe listes, and not plaine listes, shall containe in length betwene thirtie, and thirtie thre of such said yardes and ynches as is aforesaid, and in breadth seven quarters within the listes, throughout the whole cloth; and in weight seuentie vny pounds at the least, as all Worcester Clothes are limited. 4. Lac. 2.

Tauntons, Wydgewaters, & Dunsters, broad clothes.

141 Every broad cloth, commonly called Tauntons, Wydgewaters, and Dunsters, made in the Westerne parts of Somersetshire, or elsewhere of like making, shall containe being thoroughly wet, betwene twelue and thirtie such said yardes and ynches as is aforesaid, and in breadth seven quarters of a yard at the least, and being well scoured, thicked, milled, and fully dyed, shall weigh thirtie pounds the Cloth at the least. 4. Lac. 2.

142 Every narrow cloth of like soyt and making within the said Countie of Somersetshire, or elsewhere, shall containe in length being thoroughly wet, betwene

twene twentie four and twentie five such yards and ynches as is aforesaid, and in breadth one yard within the lists at the least, and kist with a narrow list, and well scoured, thicked, milled, and fully dyed, shall weigh thirtie pounds a pece at the least, and the halfe cloth thereof to be of a proportionable length and weight, and of like breadth as aforesaid. 4. lac. 2.

Camtons,
Widgewaters,
a Dun-
stons narrow
clothes.

143 All such like Broadclothes, and Narrow clothes last before mentioned, made within the Countie of Pozke into Whites and Reds, the broad cloth to hold the same lengths, breadth, and weight, but the narrow cloth to be allowed by this Statute to containe betwene seuentene and eightene yardes of like measure, breadth, and in weight proportionable as aforesaid. 4. lac. 2.

Broad and
narrow
clothes made
within the
Countie of
Pozke.

144 All Devonshire Kerries called Dozens, shall containe in length at the water betwene twelue and thirtene such said yards and ynches as is aforesaid, and being well scoured, thicked, milled, and fully dyed, shall weigh thirtene pounds the cloth at the least. 4. lac. 2.

Devonshire
kerries.
S.Br.104.

145 All Clothes, called Checke Kerries & traits, and plaine Graies, shall containe in length at the water, betwene seuentene and eightene such said yardes and ynches as is aforesaid, and in breadth one yard at the least by all the length, and being well scoured, thicked, milled, and fully dyed, shall weigh twentie four pounds the pece at the least. 4. lac. 2.

Checke ker-
ries & traits,
and plaine
graies.

146 All Clothes, called Ordinarie Penistones, or Foxes Whites, shall containe in length in the water, betwene twelue and thirtene such said yardes and ynches as is aforesaid, and in breadth five quarters and a halfe, and being cleane scoured, thicked, milled, and fully dyed, shall weigh twentie eight pou'os the pece at the least. 4. lac. 2.

Ordinarie pe-
nistones or
foxes
whites.
S.Br.11.

147 All Penistones, called Sorting Penistones, shall containe in length in the water, betwene thirtene and fouretene such yardes and ynches, and shall be in breadth five quarters and a halfe, and being cleane scoured, thicked, milled, and fully dyed, shall weigh thirtie five pounds the pece at the least. 4. lac. 2.

Sorting pe-
nistones.

148 All Cogware-Bendal, and Carptmeales, shall from henceforth be made in such sort as may best please the buyer, and shall not be searched, or sealed, or be subiect to any other penaltie than such as was imposed thereon before Anno. 29. reg. Elizabeth. so as they shrinke not aboue one yard for euery twentie yardes. 4. Iacobi 2.

Cogware-
Bendal, and
Carptmeales

149 All Kerries, called Washers, or Wash Whites, made within the Counties of Pozke, Lancaster, or elsewhere of like making, shall containe in length at the water, being halfe thicked, betwene seauentene and eightene yardes of the measure aforesaid, and being quarter thicked, shall containe betwene eightene and nineteene such yardes and ynches as is aforesaid, and being cleane scoured, and fully dyed, shall weigh seauentene pounds the pece at the least. 4. lac. 2.

Washers, or
wash whites
made in Pozk
or Lancashire.

150 No Cloth-worker, Shear-man, or Fuller, shall raise or rowe, or cause to be raised or rowed any kind of Clothes or Kerries in or with any Oyles, Gose-grease, Swines-grease, or any such like thing of any kind of Greases or Oyles, but shall sheare the same cloth, kerrie plaine and streight, without laying in or laying on any of the aforesaid oyles, Gose-grease, Swines-grease, or any other liquid or moist thing, but onely upon the edge of the Shears with setnet or oyles, upon paine to forfeit so: euery time so doing contrarie to the true meaning of this Statute, xij. s. iij. d. 4. lac. 2.

Rowing or
raising of
Cloth.

151 No Cloth-worker, Shear-man, or Fuller, shall raise, full, or row, or sheare the lists and sides of Clothes and Kerries better than the middelt, but shall worke all alike, upon paine of forfeiting so: euery Cloth, Kerrie plaine and streight, done contrarie to the true meaning of this Statute, xij. s. iij. d. 4. lac. 2.

Raising, full-
ing, or row-
ing in lists of
clothes.

Draperie.

Cutting the
wool from the
backside of
clothes.

152 No Cloth-worker, or any other person or persons whatsoever, shall have or use for the cutting or taking away of the wool from the backside of any Clothes & Kerse, any knife, or knives, stubber, or stubbers, Pumstone, or any other device whatsoever, but onely to sheare the same backside with a paire of sheares, upon paine of forfeiting for every piece wherein or whereupon the same shall be so done, the summe of xij. s. iij. d. 4. l. c. 2.

Blowing,
spouting, or
bedewing any
kind of cloth.

153 No Cloth-worker, Shere-man, or Fuller, or any other person or persons whatsoever, shall blow, spout, or bedew any kind of broadcloth, or kerse, on the sides, & edges nere the lists thereof, with any water, or other liquid or moist thing whatsoever, whereby the edges or sides of any cloth or kerse, may make thewe to be better then it is, in the ridge, crest, or midst thereof, upon paine to forfeit for every such offence, the summe of xij. s. iij. d. And if any person or persons shall blowe, spout, wet, or bedew, or cause to be blowed, spouted, wet, or bedewed with any liquid or moist thing, any kind of cloth or kerse, of whatsoever countrey, making or name, for increase of weight, thereby to deceine the buyers or searchers, such person or persons shall forfeit, and lose for every such offence, the summe of xl. s. 4. l. c. 2.

Blowing of
cloth for in-
crease of
weight.

Abatement
for the dying,
dressing, row-
ing, shearing.

154 All the said white clothes, & coloured clothes which by this present Act are not limited, and appointed to be wrought, dyed, & shorne, shall have allowance, and abatement, for the dying, dressing, rowing, and shearing thereof, for every such said short broad wollen Clothes, foure pounds in weight and no more, and the long Clothes five pounds, and no more, and so after that rate in all and every the same halfe wollen Cloth, kerse, and other the said wollen Cloth. 4. l. c. 2.

Into what
cloth flore,
thymmes, or
Lambes wool
may be put.

155 It shall and may be lawfull to and for any person or persons, lawfully exercising the Trade or Art of a Clothier, or making of Clothes, to make flore, Thymmes, and Lambes wool into Cloth of one onely kind or making, which shall containe in length, being thoroughly wet, betwene twelve and thirtene such yards and ynches as is aforesaid, and in breadth one yard at the least within the lists, and being cleane scoured, thicked, milled, and fully dyed, shall weigh 15. pounds the piece at the least. 4. l. c. 2. S. Br. 57. 122.

The manner to
know cloth
made of flore,
thymmes, &c.

156 And for the better and more easie distinction and knowledge of every such Cloth from Cloth made of perfect wool, every Cloth made of flore, Thymmes, and Lambes wool, shall have the one list wholly of blacke Parne, and on the other side a selvedge onely. And no person or persons shall put any Paire, flore, Thymmes, or any Parne made of Lambes wool or other deceivable thing or things in or upon any other broad wollen Cloth, halfe Cloth, kerse, frize, Dozen, Bayes, Pennystone, Cotton, Taunton cloth, Bridgewater, Dunster-Cotton, or other Cloth of what nature, kind, or name soever made to be sold, and sold, not being made and listed with such blacke List and selvedge as aforesaid, upon paine to forfeit every such of the said wollen Cloth, halfe Cloth, kerse, frize, Dozen, Pennystone, Cotton, and other wollen Cloth of what nature, kind, & name soever, other than such as shall be listed and made as aforesaid, whereinto or upon which any such Paire, flore, Thymmes, Parne of Lambes wool, or other deceivable thing shall be put or used, or the value thereof. 4. l. c. 2.

Places where
flannel, wad-
mills, or cover-
lets be made.

157 Provided alwaies, that in such Townes, Places, and Counties, where flannel, wadmills, and Coverlets or Blankets are usually made, the same may be made in such sort, as heretofore hath bene lawfully used and accustomed: This Statute or any thing therein contained to the contrarye thereof in any wise notwithstanding. 4. l. c. 2.

The forfeit-
ure where the
cloth is longer
then is ap-
pointed.

158 And if any of the said broad wollen Clothes, or halfe Cloth, or any other kind of wollen Clothes, Dozens, Cottons, or other sorts of wollen Cloth be soze mentioned in this present Act, of what nature, kind, or name soever they be of,

of, made to be sold, and sold, shall be more in length than is therefore respectively limited & appointed in this present act, then every person or persons selling & same, shall forfeit and pay for every yard and ynce, exceeding the length so appointed, the summe of ten shillings and no more. 4. Jac. 2. S.Br. 25. 162.

159 And if any such cloth shall not weigh proportionably for every such yard and ynce to the severall and respective weight to them so limited and appointed, then the said person or persons selling the same, shall forfeit and lose for every pound weight that shall be wanting above two pounds, the summe of 1. s. and no more, as my former law or stat. to & contrarie thereof in any wise notwithstanding. 4. Jac. 2.

160 And if any such cloth before mentioned, not exceeding the severall lengths to them by this statute limited or appointed, and holding the severall and respective weight limited and appointed, doe yet fortune to want of the iust breadth limited or appointed, then the said person or persons, selling the same, shall forfeit and lose for every cloth falling narrow through the whole cloth, twentie shillings, and throughout halfe the cloth ten shillings, and under halfe the cloth, five shillings only and no more, any former Lawes, or Statutes inflicting other or greater penaltie or penalties to the contrarie thereof in any wise notwithstanding. 4. Jacobi 2.

161 And if any cloth or clothes, of any the names, natures, or making aforesaid, which by this statute, or any clause or article therein, or any other statute, now in force and not repealed, shall upon due and convenient triall, within convenient time after sale thereof, in presence of the partie that sold the same, or other person or persons by him appointed, if he or they will be present at the search and triall thereof, or if he or they will not be present, having reasonable notice, then in his or their absence be found to be of lesse length, than the scale or scales thereon shew at the time of the sale thereof doe purport, then the owner, or person or persons selling the same, shall forfeit and lose to the merchant, draper, or other person or persons that shall have bought the same, for so much as shall be wanting of the length specified in the scale or scales of the said cloth, after the rate of five shillings eight pence for every yard, over and besides the true value of so much of the said cloth or clothes, as shall be found wanting of the length certified by the said scale or scales, and no more: Any former law or statute inflicting other or greater penaltie to the contrarie thereof in any wise notwithstanding. 4. Jac. 2. S.Br. 30.

162 All and every Branch, Clause, and Sentence, in any former statute, whereby any other Length, Breadth, or Weight of the Clothes before mentioned, or any of them, or any other penaltie or forfeiture concerning the Length, Breadth, or Weight of the foresaid clothes, or any of them, or any other offence by this Act intended to be reformed, is limited, or whereby any penaltie or forfeiture for the offences in this Bill mentioned, or any of them, are give to any other person or persons, than in and by this statute is limited and intended, shall be from henceforth utterly repealed and made void. 4. Jac. 2.

163 None of the Clothes aforesaid, which by the Lawes and Statutes of this Realme ought to be sealed, of what Name, Nature, or Qualitie soever they be of, being sealed by the Overseers, authorized as well by a statute made Anno 39. Eliz. 20. intituled, An Act against the deceitful stretching and tainting of woollen cloth, as also by a statute made An. 43. El. 10. intituled, An Act for the true working and making of woollen cloth, shall afterward be searched, tried, or watered by any other person or persons whatsoever, but onely by the Merchant or Draper, or other person to whom the same shall be sold: And if any woollen cloth by on the search by the Searchers or Overseers of the Cities, Counties, Townes, or places where the Cloth is made, shall be found either to exceed the length, or to want of the weight by this statute limited, the said Searchers or Overseers

The forfeit if the cloth shall want weight.

The forfeit if the cloth doe want breadth

Cloth of lesse length than the scale doth purport.

Repeale of other Statutes concerning the length, breadth, and weight of Clothes.

Cloth sealed by Overseers shall not be searched, tried, or watered as game.

Where the Searchers shall have the mottie of the forfeitures

Draperie.

finding and certifying the said over-length, and the weight that shall want, or such of them wherein the offence shall happen to have bene committed, by his or their Deales or Deales, shall have the one moitie of all such penalties and forfeitures, as by this Statute are given, limited, and appointed for excess of length, or want of weight, and no other person or persons: and shall or may sue for, and recover the same by A. of debt, B. P. A. in any of the H. courts of Record at Westminster, wherein no C. P. or W. ac. And our souveraign Lord the King of France, his heires and Successors, shall have the other moitie. 4. Lac. 2.

Clothes faultie not to certify by the Drapers.

164 And also if any woollen cloth or clothes of any the natures, names, or makings aforesaid, shall after such search in the countrie or other place aforesaid, be found to be faultie in any thing not certified, and appearing by the Scale, or Deales of the said Drapers, and Searchers by the Merchant, or Draper, or other person or persons buying the same, upon due and convenient triall within convenient time, after the sale thereof in presence of the parties that sold the same, or of other person or persons by him, or them to be appointed, if he or they will be present at the search and trial thereof, or if he or they will not be present, having reasonable notice given, then in his or their absence, the said Merchant or Draper, or other person that bought the same, and no other, shall have the one moitie of all the penalties and forfeitures by this Statute imposed, and incurred, and not become due to the Drapers and Searchers aforesaid, to his owne onely proper use and behoofe: Any former Statute, matter, or thing whatsover to the contrary hereof, in any wise notwithstanding, and also shall and may sue for, and recover the same in any of his Majesties Courts of Record at Westminster, by Action of debt, B. P. or A. wherein no C. P. or W. ac. And his Majestie, his heires and Successors, shall have the other moitie. 4. Lac. 2.

Duties and payments for a broad woollen Cloth.

165 And soasmuch as of late it hath bene reputed, that a broad woollen cloth, should and ought to consist of foure and twentie such yards and ynches as aforesaid, and not above, and payments and other duties have bene accordingly demanded, and paid for the same: Be it therefore enacted, that if any broad woollen cloth, be made longer or shorter then foure and twentie such said yards and ynches, all duties and payments hereafter to be paid for the same, shall be demanded and made proportionable, according to the rate and proportion of foure and twentie such said yards and ynches, for a whole cloth, and not otherwise. 4. Lac. 2.

Every Clothier may make every kind of woollen Cloth.

166 And whereas by this and divers other Statutes concerning Draperie and clothing, it is enacted, that all and every broad cloth and clothes, which shall be made in Kent and Sussex, or at the Towne of Reading, or elsewhere of like making, shall be of a certaine Length, Breadth, and Weight, in this or other the said Statutes, expressed and limited, and in like sort for Woollen Clothes most usually made in some other Counties or Townes, are first, specially and particularly named in this and other the said Statutes, and after follow these words (or elsewhere of like making) importing that it should be lawfull for any Clothier of whatsoever towne or Countie within this Realme to make cloth of like making, and accordingly the same hath heretofore bene put in use: Yet soasmuch as of late some doubt hath thereupon risen, Be it therefore explained and enacted, that it is and shall be lawfull for every Clothier, of what Towne or Countie soever within this Realme, where Clothing hath heretofore bene used, to make, or cause to be made, any true woollen cloth, of what name, nature, or manner of making soever the same be, Albeit the same kind of woollen cloth do beare specially the name of some other Countie, Citie, or Towne within this Realme. 4. Lac. 2.

The Kings duties and his officers returned.

167 Neither this Act, nor any thing therein contained, shall extend to abridge or diminish any Customs, or Duties appertaining to our Souveraign Lord the Kings Majestie, his heires or Successors, or to any his Officers, or Ministers, for the

the searching, measuring or sealing any the Clothes before mentioned, nor to hurt or prejudice the lawfull sales, due or belonging to his Maesties Aulnager, or to hurt, or prejudice the lawfull use and exercise of the Office of Aulnager, so as after any Cloth once lawfully searched, and lawfully sealed, the same be not compelled to be further viewed, searched, measured, or sealed. This Act to continue untill the end of the first Session of the next Parliament. 4. Jac. 2.

168 All and every lewd person and persons, who shall at any time within yr. daies next after the end of this Session of Parliament, unlawfully, falsely, or deceitfully, convey away, imbezell, purloine, sell or detain, any part of the Woll or Yarne delivered by any Clothier, maker of Bayes, Waxes, or by any other person or persons, making any such Clothes or Stuffs, to any such Doyter, Carder, Bember, Spinster or Weaver of Woll or Yarne: That in every such case and cases, aswell the Doyter, Carder, Bember, Spinster and Weaver so offending, as the Buyer and Buyers, Receiver and Receivers of the same, knowing the same, being thereof lawfully convicted (by the confession of the Partie or Parties so offending, or by one sufficient Witsnesse, upon Othe before two or more of the Kings Maesties Justices of the Peace of the same Countie or Libertie where the same Offence or Offences shall be committed, or if it be within a Towne Corporate, before the Mayor, Bayliffe, or chiefe Officer, and one more of the Aldermen or most Substantiall persons of the said Towne who shall by force of this Act have full power and authoritie to minister the same Oath, and finally to heare, end, and determine all and every the Offences aforesaid) shall give and make to the partie or parties grieved, such recompence and satisfaction for such their Damage and losse, as by the said Justices or chiefe Officers, shall be ordered and appointed. And if the Partie or Parties so offending, shall not be thought in the discretion of the said Justices or chiefe Officers able or sufficient, or doe not make recompence or satisfaction for the same Offence or Offences, in such manner and forme, as by the said Justices or chiefe Officers, shall be ordered and appointed, as aforesaid, then the Partie or Parties offending, for the first offence to be apprehended and whipped, or set in Stocks in the place where the Offence is committed, or in some market Towne in the same Countie, next unto the place where the Offence or Offences aforesaid shall be committed as shall be limited and appointed by the said Justices of the Peace, or chiefe Officers. And for the second offence to incurre, the like or such further punishment, by whipping or being put in the Stocks, as the said Justices of the Peace, or chiefe Officers, shall in their discretions, thinke fit and convenient. 7. Jac. 7.

The punishment of a Doyter, Carder &c. of Woll or Yarne that doth detain any part thereof.

The punishment for the second offence.

169 All and every Receiver and Receivers, Buyer and Buyers of any Woll or Yarne imbezelled or purloined, contrarie to the meaning of this Act, knowing the same to be imbezelled or purloined, shall be subject to like punishment, as by this Act is inflicted, or provided to be inflicted upon any such person so imbezelling or purloining any such woll or yarne as aforesaid. 7. Jac. 7.

The punishment of the Receiver or buyer of imbezelled yarne.

170 All and every Spinner and Spinners of Woll within the Countie of Essex, that shall receive any Woll to be spun into Yarne, for any Clothier for making of Bayes, Waxes, or other Stuffs aforesaid, dwelling in the Towne of Cogshall, Bocking, Baintree, Hallsed, Willittam or Colchester within the said Countie, and shall deliver backe againe the Yarne made of the said Woll, by any Doyter Kete, then hath been there usual of auncient time, that is to say, the said Kete containing two yards about, shall be subject to like punishment as by this Act is inflicted, or provided to be inflicted, upon any person or persons, imbezelling and purloining yarne as aforesaid. 7. Jac. 7.

Spinners of Woll in certain townes in Essex.

171 The foresaid Statute of 5. Ed. 6. repealeth all and every Article, Clause, or Sentence in any Act of Parliament, theretofore made, concerning making, dying, dressing

Draperie. Drunkenesse.

ling, pressing, searhing, or sealing any of the kinds of Clothes, broad or narrow, white or coloured, kerseies, frizes, rugges, or cottons, in the said Act mentioned, & being repugnant and contrarie to any article or sentence in the said Statute. And the Stat. of 8. Eliz. 1. 2. repealeth all and euery Braunch, Clause, Sentence, and Article, specified and contained in any other Acts of Parliament before that time made, concerning the sealing & making of Lancashire Cottons, Frizes, and Rugges. And the Statute of 4. 3. Eliz. 1. 0. repealeth euery Article, Clause, and Sentence, in any Act of Parliament theretofore made, touching the abuses in the said Act mentioned, & being repugnant and contrary to any article and sentence in the said Act. And the Statute of 4. Iac. 2. repealeth all and euery Braunch, Clause, & Sentence, in any former Statute, whereby any other length, breadth, or weight of the Clothes in the same Statute mentioned, or any of them, or any other penalty, or forfeiture concerning the length, breadth, or weight of the clothes in the said Statute mentioned, or any of them, or any other offence by the said Act intended to be reformed, is limited, or whereby any penaltie or forfeiture for the offences in the said Act mentioned, or any of them, are giuen to any other person or persons, then in and by the said Statute is limited and intended. And therefore consider diligently, if any Statute, Article, Braunch, or Sentence of any Statute made before either of the foresaid Statutes, and in this Treatise expressed, be by the generall words of either of the said Statutes repealed, as many other whole Statutes and braunches of Statutes be, which here are omitted: And how far and in what points one of the Statutes in this title inserted, do agree with some other, and wherein they do differ, or be repugnant. Q.

1 The length, breadth, and weight of Welsh Cottons. S. primo Iacobi 25. Br. 19.

2 Aliens not being Denizens, shal make no Cloth, nor put any Wool to worke to make Cloth. S. Aliens 1.

Drunkenesse.

The forfeiture of a drunken
lord.

Refusing to
pay the forfeiture.

The penaltie
of the Constable
omitting
his duty.

All and euery person or persons, which after forty daies next following the end of this present Session of Parliament, shal be drunken, and of the same offence of drunkenesse shal be lawfully convicted, shal for euery such offence forfeit and lose five shillings of lawfull money of England, to be paid within one twike next after his or their conviction thereof, to the hands of the Churchwardens of that parish where the offence shall be committed, who shal be accountable therefor to the use of the poore of the same parish. And if the said person or persons so convicted, shal refuse or neglect to pay the said forfeiture, as is aforesaid, then the same shal be from time to time leuied of the goods of euery such person or persons so refusing or neglecting to pay the same, by Warrant or Precept from the same court, Judge or Iustices, before whom the same conviction shall be. And if the offender or offenders be not able to pay the said summe of five shillings, then the offender or offenders shalbe committed to the stocks for euery offence, there to remaine by the space of six houres. 4. Iac. 5.

2 If any Constable, or any other inferior Officer of that parish or place, where the offence shall be committed, to whom that shall bee given in charge by the Precept of any Mayor, Bailiffe, other head Officer, or Iustices of the peace within their severall limits, do neglect the due correction of the said offender, or the due leuying of the said penalties, where distresse may be had, then euery person so offending, shal forfeit the summe of ten shillings of currant money of England, to the use of the poore of the same parish, or place where the offence shall be committed, to be leuied by way of distresse by any other person or persons, hauing warrant from any Mayor,

§ 10. Bailiff, or other head Officer, Justices of Peace or Court, where any such conviction shall be, and to be paid to the Churchwardens as before limited, who are also to account for the same to the use aforesaid. 4. Lac. 5.

3 If any person or persons within this Realme of England, or the Dominion of Wales, shall remaine or continue drinking or tipling in any Inn, Victualling house, or Alehouse, being in the same citie, towne, village, or hamlet, wherein the said person or persons (so remaining drinking or tipling) both dwell and inhabit at the time of such drinking and tipling, and the same being viewed and seene by any § 10. or other head officer, Justice, or Justices of peace within their severall limits, or duly proved in such maner & forme as is limited, in and by one act of Parliament, made in the first Session of this present Parliament, intituled, An Act to restraine the inordinat haunting and tipling in Innes, Alehouses, and other victualling houses, vntlesse it be in such case or cases as be tollerated or excepted in the said Act, then every person or persons so offending, shall forfeit and lose for every such offence the summe of iij. s. iij. d. of currant money of England, to the use of the poore of the Parish where the said offence shall be committed, to be leuied by way of distress, in such maner and forme as is before appointed by this Act, for the leuying of the penaltie of five shillings for being drunke. And if it happen that any Offender or offenders, against the true intent of this clause or branch, being thereof lawfully convicted, be not able to paie the said forfeiture or forfeitures, then it shall and may be lawfull for any § 10. Bailiff, or other head Officer, Justice or Justices of peace, or court, where any such conviction shall be, to punish the said offender or offenders, by setting him, her, or them in the stocks, for every such offence, by the space of foure houres. 4. Lac. 5.

The penaltie for continuing drinking in an Alehouse

§. Alehouse 6

4 All the offences in this Act, and the said former Act mentioned, shall be from time to time diligently enquired of, and presented before the J. of assises in their circuit, J. of the peace in their Quarter or ordinarie Sessions, and before the § 10. Bailiffes, or other head Officers of every citie or towne corporate, who haue power to enquire of trespasses, riots, routs, forces, & such like offences, and in every Court & Let, & thereupon such due proceeding shall be against the offender or offenders, for their due conviction in that behalfe, as in such like cases, vpon any Indictment or presentment is used by the lawes of this Realme, or customs of the citie, towne or place where such presentment or indictment shall be inquired of & found. 4. Lac. 5.

who shall inquire and punish the offenders.

5 If any person or persons, being once lawfully convicted of the said offence of drunkennesse, shall after that be againe lawfully convicted of the like offence of drunkennesse, then every person and persons so secondly convicted of the said offence of drunkennesse, shall be bounden with two sureties to our Soueraigne Lord the King his heires & successors in one Recognizance or obligation of r. l. with conditions to be from thenceforth of good behaviour. 4. Lac. 5.

The penaltie for the second offence of drunkennesse.

6 All Constables, Churchwardens, Headboroughs, Withingmen, Alecunners, and Sidemen, shall in their severall othes incident to their severall Offices, be charged in like sort to present the offences contrarie to this Statute. 4. Lac. 5.

Officers presenting offenders.

7 Provided alwaies, that this Act, or any thing therein contained, doe not in any wise abridge or restraine the Ecclesiasticall power or iurisdiction, but that all Ordinaries & other Ecclesiasticall Judges and Officers, shall and may proceed to inquire of, censure, and punish all such offenders, according to the Ecclesiasticall lawes of this Realme, in such maner and forme as before they lawfully might doe, any thing in this Act to the contrary notwithstanding. 4. Lac. 5.

No restraint of Ecclesiasticall iurisdiction.

8 Provided also, that when any of the offenders against the true intent of this Act, or any branch or article thereof, hath been once punished, or corrected for his or her offence, by any the waies and meanes before limited, that then the said offender shall not be oftentimes punished or corrected for the same offence by any other waies

But one punishment for one offence.

Drunkennesse. Dying, Dyers.

03 meanes. 4. Jac. 5.

The Universities
sires priu-
ledges.

9 Provided alwaies, that this act, or any thing therein contained, shall not bee prejudiciall to either of the two Universities of this land, but that the Chawncelloz, masters, & schollers, & the successors of them, & either of them may as fully vse & enjoy all their iurisdiccions, rights, priuiledges, & charters, as heretofore they haue, or might haue done, any thing in this Act to the contrarie notwithstanding. 4. Jac. 5.

Within what
time the offen-
der shalbe pre-
sented, &c.

10 Provided alwaies, that no person or persons shall be punished, impeached, or molested for any offence mentioned in this stat. vntlesse he shalbe for the same offence presented, indicted, or convicted within six monethes after such offence committed. This Act to continue vntill the end of the first sess. of the next Parliament 4. Jac. 5.

Dying, Dyers.

Logwood and
Blockwood
shalbe burned.

All Logwood, alias Blockwood, in whose hands soeuer the same shall bee found, shall bee forfeited, and openly burned by the authoritie of the Mayor, or other head Officer of the Citie, or Towne Corporat, or of two Iustices of peace of the Countie where it shal be found. And no person shall die, or come to bee dyed any Cloth, broad Clothes, Berries, Wolls, Penistones, Bayes, Cottons, Holes, yarne, Hats, Caps, Flannels, Woodmalls, Pockadoes, Kasses, Buffins, Lottmockadoes, or any other thing whatsoeuer, with any of the said Ware or stuffe, called Logwood, alias Blockwood, vpon paine that the Dyer of euery such severall thing so dyed, shall forfeit the value of the thing so dyed, to the Quene and Inheritor, to be recovered by Action, B. p. J. &c. wherein no W. ec. C. p. ec. And the party offending, being thereof convicted, shall remaine in prison without bayle or Painprie, vntill he hath satisfied the same value. 23. Eliz. 9.

Offring or
sing of Log-
wood with
wood or other
stuffe.

2 If any Person shal be suspected to offend by cunning vsing or mixing of the said Logwood, alias Blockwood, together with wood or other stuffe, then any Iustice or Iustices of Peace of the same Countie, where the said supposed offender shall dwell, if he dwell out of a Corporat Towne or Citie, and if he dwell within any Corporat Towne or Citie, then the Mayor, Bailife, or other head Officer, being a Iustice of peace of such Corporat Towne or Citie, where such supposed offender shall dwell, vpon notice and information to him or them given in that behalf, shall by his or their warrant or other commandement, cause to come before him or them, the seruants and workemen of such supposed offenders, and other persons able to disclose the said deceit, and them to examine by their othe, or otherwise: And if vpon the same examination they shal find any person or persons, to haue vsed, or caused to be vsed, in the dying or colouring of any cloth, wolle, yarne, grogetaine, buffins, or silk, or any thing made of wollen yarne or silke, any Logwood, alias Blockwood, or now, or heretofore reputed and taken so; Logwood, alias Blockwood, then the said Iustices or Iustice, Mayor, Bailife, or other head Officer, being a Iustice of peace, shall not onely bind with suretie all such person or persons, whom they shall find so suspected to haue offended, and such other as may discouer the same offence, to the next Quarter Sessions or Gaole delivery, which shall happen to bee holden for the Countie, City, or Towne Corporate: but also to certifie all such examinations and depositions, as tend to the finding out or discouerie of the said offences at the said Gaole deliuerie, or Quarter Sessions: And also if any such person so suspected to haue offended, vpon examination aforesaid, shall refuse to bee bound, as aforesaid, then the said person or persons so refusing, to be committed to the next Gaole, there to remaine, till he, she, or they shall so become bound with sureties. And the said Iustices of Assise, or Iustices of Peace, at such Gaole deliuerie, or Quarter Sessions, shall haue authoritie to indict and trye the offenders, by the vsuall course of Indictments and trials in like cases: And after such conuiction,

ation, to abide the said offenders to be set openly on the Pillorie, in the said Cittie or Market Towne, where the same offence shall be committed: And if it shall not be in any Market Towne, then in the next Market Town adjoining, in the same Countie, there to continue by all the time of the market, one or more dayes, by their discretion, for every such offence: And further, every such offender, besides his said corporal punishment, shall forfeit for every such offence the summe of x. l. to the Duene and Informer which will sue for the same by Action of debt, B. P. J. in any Court of Record, wherein no C. P. W. or J. p. 4. And the partie offending, being thereof convicted, to remaine in prison without bayle or mainprize, till he have satisfied the same. 39. Eliz. 11.

3 No kind of Cloth or Clothes, Kerseys, Bayes, Friezados, broad or narrow, Wosen, or other things, being in the nature of Cloth, shall be mathered for a blacke, except the same be first grounded with Wood onely, or with Wood and Pale, alias blew Inde, unless the Padder be put in with Shomack, or Callis. And no person shall dye or cause to be dyed any Cloth or Clothes, or other things abovesaid, of what kind or nature soever, mathered for a blacke, not having a ground of Wood onely, or of Wood & Pale, alias blew Inde, unless the Padder be put in with Shomack, or Callis, upon paine that the Dyer of every such severall thing so dyed, shall forfeit the value of the same thing so dyed, to the Duene, and him that will sue for the same, by A. B. P. in any Court of Record, in which suit no C. P. W. nor writ of Priviledge shall be allowed. And the partie offending, being thereof convicted, shall remaine in prison without bayle or mainprize, till he have satisfied the same value. Provided alwaies, that it shall and may be lawfull to dye all manner of gall black, Shomacke blacke, alias plaine blacke, wherein no mather shall be used, as heretofore lawfully hath been done, this Act notwithstanding. 23. Eliz. 9.

4 Every Dyer, that shall dye any of the said black Clothes, Kerseys, or Friezados, mathered, and not wooded, shall before he deliver any of the same forth of his hands first a Seale of Lead to every of them, in which the letter M. signifying mathered, shall be contained, upon paine that every Dyer offending to the contrary, shall forfeit for every yard of the said Cloth, Kersey, Bayes, or Friezados, iij. s. iij. d. And if any person shall sell any Cloth, Kersey, Bayes, or Friezados, mathered, and not wooded, and shall not first give notice to the buyer thereof, that the same is not wooded, shall forfeit also the double value of all such Cloth, Kersey, Bayes, and Friezados, as he shall so sell, which forfeitures shall be to the partie that shall sue for the same in any Court of Record by A. B. P. or J. wherein no C. W. 4. 23. Eliz. 9.

1 In what maner woollen Cloth dyed, shall be used in the dying. S. Draperie. 65.

2 None that use the dying of Sayes, Worstedes, or Scammes, shall calender them. S. Worstedes 3.

Eares.

Whosoever shall maliciously, unlawfully, and willingly cut, or cause to be cut off the eare or eares of any of the Kings subjects, otherwise then by authority of Law, Chance-medley, sudden assay or adventure, shall forfeit to the partie grieved treble damages, to be recovered by action of Trespasse, and to the King for a fine x. l. 37. H. 8. 6.

Cutting off eares.

Ecclesiasticall persons, livings, and Iurisdicions.

If any person Ecclesiasticall, or having Ecclesiasticall living, shall advicedly maintain any Doctrine directly, contrarie to any of the Articles comprised in a Booke

Maintaining doctrine against the articles.

Ecclesiasticall persons and livings.

Books entituled (Articles &c. touching true Religion) and being consented before the Bishop, Ordinarie, or the Quenes Commissioners in causes Ecclesiasticall, shall persist therein, and not renoue his error, or after such renouation, shall either affirm such Doctrine, such maintaining or affirming and persisting, or such estates affirming, shall be a lawfull cause, to depriue such person of his Ecclesiasticall promotions. And it shall be lawfull to the Bishop of the Dioces, or Ordinarie, or the said Commissioners, to depriue such persons so persisting, or lawfully convicted of such estates affirming. And vpon sentence of deprivation pronounced, he shall be indeed depriued. 13. Eliz. 12.

The age of a beneficed person, & he shall read and subscribe the articles.

2 No person shall be admitted to any Benefice with cure, except he then be of the age of xxiij. yeres at the least, and a Deacon, and shall first haue subscribed the said articles &c. in the presence of the Ordinarie, and publicly read the same in the parish Church of that Benefice, with declaration of his vnfained assent to the same. And if any person to be admitted to a Benefice with cure, doe not within two monethes after his induction publicly read the said articles, in the Church wherof he shall haue cure, in the time of common prayer there, with declaration of his vnfained assent thereunto, and be admitted to minister the Sacraments within one yere after his induction (if he be not so admitted before) he shall be immediately vpon euery such default (ipso facto) depriued. And no person now permitted by any dispensation, or otherwise, shall retaine any benefice with cure, being vnder the age of xxi. yeres, or not Deacon at the least, or which shall not be admitted, as is aforesaid, within one yere next after the making of this Act, or within six monethes after he shall accomplish the age of xxiij. yeres, on paine that such his dispensation shall be utterly void. 13. Eliz. 12.

The ministers age and his testimony.

Examination of a persons ability,

3 None shall be made minister, or admitted to preach or minister the Sacraments, being vnder the age of xxiij. yeres, nor vntill he first bring to the bishop of that dioces (from men knowne to the bishop to be of sound religion) a Testimoniall both of his honest life, and of his professing the doctrine expressed in the said articles nor vntill he be able to answer and render to the Ordinarie an account of his faith in Latine, according to the said articles, or haue a speciall gift and ability to be a Preacher: For that he be admitted to the order of a Deacon, or Minister, vntill he shall first subscribe to the said articles. 13. Eliz. 12. For the examination of the ability of a person presented to an Ecclesiasticall benefice, both pertaineth to an Ecclesiasticall Judge: And so it hath been heretofore vsed, and shall be in time to come. Articuli cleri. An. nono Ed. 2. 13.

Benefice of the value of xxx. l.

4 None shall be admitted to any Benefice with cure, of, or above the value of xxx. l. yere in the Quenes bookes, vntill he shall then be a Bachelor of Diuinitie, or Preacher lawfully allowed by some bishop within this Realme, or by one of the Universities of Cambridge, or Wyndesore. 13. Eliz. 12.

No Lapse but after notice.

5 All admissions to benefices, institutions, and inductions to be made of any person contrarie to the forme, or any provision of this act, and all tollerations, dispensations, qualifications, and licences whatsoever to be made to the contrarie hereof, shall be utterly void in law, as if they neuer were. Provided alwaies, that no title to conferre or present by Lapse, shall accrue vpon any deprivation ipso facto, but after six monethes after notice of such deprivation given by the Ordinarie to the Patron. 13. Eliz. 12. For Consuance and discussing of the voidance of benefices appertaineth to the Judges of holy Church, and not to the lay Judge. An. 25. Ed. 3. 8. pro Clero.

Leases and other assurances of bishops lands,

6 All gifts, grants, scottements, fines, and other conueyances or estates, from the first day of the Parliament begun 24. Ian. An. Dom. 1558. had, made, done, or suffered, or to be had, made, &c. by any Archbishop, or Bishop, of any Bishops, Cantons, Parishes, Lands, Tenements, or other Hereditaments, being parcel of the possession

possession of his Archbishops, or Bishops, or united, appertaining, or belonging to any of the same, to any person (other then to the Queene, her heires or successors) whereby any estate should or might passe from the Archbishop, or Bishop, other then for terme of one and twentie yerres, or thre liues, from such time as any lease, graunt, or assurance shal begin, & whereupon the old accustomed yerely rent, or moze, shal be reserved payable yerely, during the said terme of one and twentie yerres, or thre liues, shal be utterly void, any Law, Custome, &c. notwithstanding.

1. Eliz. a Statute not printed. Every Archbishop and Bishop within this realme, and their and every of their successors, shal be for ever wholly and utterly disabled in law, to make, doe, lewie, or suffer any act or acts, thing or things, whereby, or by means whereof any of the honors, castles, manors, lands, tenements, or hereditaments, parcell of the possessions of his Archbishopricke or Bishopricke, or united, appertaining or belonging to any of the same, or any part of them, or any of them, shal or may be aliened, assured, given, graunted, demised, or charged, or in any sort conveyed to our Soueraigne Lord the King, his heires, or successors: And all alienations, assurances, gifts, graunts, leases, charges, and conveyances whatsoever, to be done, suffered, or made to our said Soueraigne Lord the King, his heires or successors, by any Archbishop, or Bishop, or their, or any of their successors, of, or out of any of the said possessions, or of, or out of any part or parcell of them, and all & every confirmation and confirmations of the same, shalbe utterly void, to all intents and purposes: any former law, statute, or other thing to the contrarie notwithstanding. 1. Jac. 3.

For Bishop
shal assure his
land to the King

7 All Leases, Gifts, Graunts, Feoffments, Conveyances, or Estates to be made, had, done, or suffered, (viz. from 2. Aprilis, Ann. Dom. 1571.) by any Master and Fellowes of any Colledge, Deane and Chapter of any Collegiat or Cathedral Church, or after or Garden of any Hospitall, Parson, Vicar, or any other, having any Spiritual or Ecclesiasticall living of any houses, lands, tithes, tenements, or other hereditaments, being parcell of the possessions of any such Colledge &c. or any way belonging to the same, or of any of them, to any person or bodies politique or corporat, other then for the terme of xxi. yerres, or thre liues, from the time of such Lease or Graunt made, whereupon the accustomed yerely rent or moze shal be reserved, and yerely payable during the said terme, or whereof any former lease for yerres is in being not to be expired, surrendered, or ended, within thre yerres next after the making of any such new lease, shalbe utterly void.

Assurances
made by Col-
ledges, Cathe-
dral churches,
Parsons,

13. Eliz. 10. 18. Eliz. 10. And every Bond & Covenant whatsoever, made for renewing or making of any lease, contrarie to the true intent aforesaid, shal be utterly void. 18. Eliz. 10. But this act shal not be construed to make good any lease or other graunt made by any Colledge or Collegiat church within Oxford and Cambridge, or elsewhere, for moze yerres then are limited by the private statutes of the same colledge. Neither shall this Act extend to any Lease hereafter to be made, upon surrender of any Lease heretofore made, or by reason of any covenant or condition contained in any Lease heretofore made, and now continuing, so that the Lease to be made doe not contains moze yerres then the residue of the yerres of the former Lease now continuing, shal be at the time of such Lease hereafter to be made, nor any lesse rent then is reserved in the said former Lease. 13. Elizabeth 10. And the President and Schollers of Saint John Baptists Colledge, founded by Sir Thomas White Knight, Alderman of London, in the Universitie of Oxford, may from time to time demise the manor of Ffildre, alias Ffifield, the copyholds, and other appurtenances in the Countie of Bark. to Ralph White, brother to the said Sir Thomas White, for the terme of fourescore and nineteene yerres, if the said Ralph shal so long live, and so to every heire male of the said Sir Thomas successively, according to the forme of a Lease thereof already made to the said Ralph.

Colledges in
Oxford and
Cambridge.

For leases
upon surrender
of old and for-
mer covenants.

Lease to
Ralph White
of the manor
of Ffifield.

Ecclesiasticall persons and livings.

**Certain
words ex-
pounded.**

Kalphe. And every such Lease so to be made, and everie covenant made oꝛ to be made foꝛ the performance of the same, shall be good in Law, as if the said Act made in the said thirtene yeare had never bene made, any thing in the said Act of 13. Eliz. oꝛ any other Act oꝛ matter &c. notwithstanding. 18. Eliz. 10. S. 14. Eliz. that it was enacted in a Statute not printed, that these words (viz. **Walter oꝛ Guardian of any Hospitall**, mentioned in the former Act of 13. Eliz.) were intended and meant of all Hospitals, Mesons de dieu, Bead-houses and other houses ordai- ned foꝛ the sustentation oꝛ reliefe of the poꝛe, and so shall be expounded and taken foꝛ ever.

**Colledges &c.
may let cer-
tein lands foꝛ
xl. yeres.**

8 But any of the persons, bodies politique, oꝛ corporate aforesaid, may graunt, assure, oꝛ lease any houses belonging vnto them, being not their Capital oꝛ dwelling house used foꝛ their habitation, noꝛ having ground belonging vnto them, above the quantitie of ten acres, oꝛ any grounds to such houses appertaining, which be situ- at in any citie, borough, towne corporate, oꝛ Market towne, oꝛ the suburbs of any of them, in such sort, as by the Lawes of the Realme, and the severall Statutes of their houses they may doe: so that no lease be made in reuerſion, noꝛ without refer- ring the accustomed yerely rent at the least, noꝛ without charging the lessee with the reparations, noꝛ foꝛ longer time then xl. yeres at the most. Foꝛ any houses of the said Colledges, bodies politique &c. shall be aliened, vntesse that in recompence thereof, there shall be before, with, oꝛ presently after such alienation, good, lawfull, & sufficient assurance made absolutely in fee simple, to such Colledges &c. and their successors, of lands of as good value, and as great yerely rent at the least, as so shall be aliened. 14. Eliz. 11. 1. Jac. 25. To endure vntill the end of the first Session of the next Parliament.

**Colledges
may not alien
their lands,
except they
haue sufficient
and present
recompence.**

**Leases of be-
nefices with
cure,**

9 No Lease made of any benefice oꝛ Ecclesiasticall living with cure, oꝛ any part thereof, and not being impropried, shall endure any longer, then while the lessour shall be ordinarily resident, and serving the cure of such Benefice without absence above fourescore daies in any one yere: But every such Lease immediately vpon such absence shall cease and be void, and the Incumbent so offending, shall foꝛ the same lose one yeres profit of his said Benefice, to be distributed by the Ordinarie amongst the poꝛe of the Parish. 13. Eliz. 20. And after complaint made to the Or- dinarie, & sentence given vpon any offence committed by the Incumbent, whereby he shall oꝛ ought to lose one yeres profit of his benefice, the Ordinarie within two monethes after such sentence given, and request made by the Church-wardens of the same Parish, oꝛ one of them, shall grant the Sequestration of such profits to such inhabitant oꝛ inhabitants within the Parish where such benefice shall be, as to him shall seeme meet: and vpon default therein by the Ordinarie, it shall be law- full to every Parishioner, where the Benefice is, to retaine his Tithes, and like- wise foꝛ the Church-wardens of the said Parish to enter and take the profits of the Glebelands, and other rents and duties of every such Benefice, to be em- ployed to the vse of the poꝛe, as aforesaid, vntill Sequestration shall be commit- ted by the Ordinarie, and then as well the Church-wardens as Parishioners shall yeld account of, and make payment to him, oꝛ them, to whom such Seque- stration shall be committed. And he oꝛ they, to whom such Sequestration shall be committed, from time to time shall iustly and truly bestow the said profits, oꝛ the iust value thereof without fraud, to such uses as by the said Statute is appointed, vpon paine of forfeiture of the double value of such with-holden profits, to be re- couered in the Ecclesiasticall Court, by the poꝛe of the said Parish. 18. Eliz. 10. 1. Jac. 25.

**Sequestratis
granted by
the Ordinarie**

**Parishioners
may retaine
their tithes.**

**Bands, con-
tracts &c. foꝛ
the enioying
of benefices.**

10 All Bands, Contracts, Promises, and Covenants made foꝛ suffering any person to enioy any benefice oꝛ Ecclesiasticall promotion with cure, oꝛ to take pro- fits oꝛ fruites thereof (other then such Bands and Covenants as shall be made foꝛ assurance

assurance of any lease heretofore, viz. before the Statute made) shall be to all intents abridged of such force, and no otherwise, as Leases made by the same persons of such Ecclesiasticall promotions with cure. 14. Eliz. 11. All iudgements hereafter to be had for that intent, to have or enjoy any lease contrary to the said Statutes, or any of them, shall be deemed void, in such sort as Wands and Covenants are appointed to be void, which are made for that purpose. 43. Eliz. 9.

Judgements
given for the
enjoying of
leases.

1. Jac. 25.

11 Every person allowed by the lawes of this Realme, to have two benefices, may demise one of them, upon which he shall not be ordinarily resident, to his Curate, which shall serve the cure for him: which lease shall endure no longer then during such Curates residence, without absence above 31. daies in any one yeare.

Demise of a
Benefice to a
Curate.

13. Eliz. 20. 1. Jac. 25.

12 All Leases, Wands, Promises, and Covenants, of, and concerning Benefices, and Ecclesiasticall Livings with cure, to be made by any Curate, shall be of no other, nor better force, validitie, or continuance, then if the same had been made by the beneficed person himselfe, that demised the same to his Curate. 14. Eliz. 11.

Wands, con-
tracts &c.
made by a
Curate.

1. Jacob. 25.

13 All chargings of benefices with cure, with any pension, or with any profit out of the same, to be yielded or taken (other then rents reserved upon leases to be made according to the meaning of this act) shall be void. 13. Eliz. 20. 1. Jac. 25. to continue to the end of the first Session of the next Parliament now next ensuing.

Charging of
Benefices.

14 No spirituall person shall take to farme to himselfe, or to any person to his use, of the lease or graunt of the B. or any other person or persons, by letters patents indentures, writings, by word or other wise, by any maner of means, any manors, lands, tenements, or other hereditaments, for terme of life, yeares, or at will, upon paine to forfeit for every moneth that he, or other to his use, doe occupie such farme by reason of any such graunt or lease x. l. to the B. and J. to be recovered by A. B. P. J. wherein no W. C. P. &c. except the Temporalities of an Archbishopricke, Bishopricke, or Collegiall, Cathedral, or conventuall Church, and lands, to be letten upon a Trauers tendered after an office found concerning his freehold, and a dwelling house having but only orchards and gardens, in any citie, borough, or towne, for his owne habitation, all to which a spirituall person may take to farme (but by the said dwelling house he shall have no colour of Non-residence) And also except Residents, and Masters of Colledges, having lands or other yerely profits, in the right of their houses, under, and not above eight hundred markes, which may occupie as much of their demeane lands, see farmes, and farmes, to their most profit, for the onely maintenance of their households, as they or any of their predecessors, at any time by the space of an hundred yeares, before the making of this Act, might have done. And all spirituall persons having lands or other premisses in the right of their houses, above the yearely value of eight hundred, markes, may keepe, and retaine in their occupation and manurance, as much of their said lands and other possessions, as shall be necessarie and sufficient for pasturage of their cattell, and of tillage for corne, to be employed and spent for the maintenance and keeping of their households and hospitalities without fraud or cotin. 21. H. 8. 13. Whether a lease made to a spirituall person, or to any other to his use for terme of life; yeres, or at will, of any lands &c. whereof he taketh the profit &c. be void by this Statute, or not, See Stat. & Quere. Vide Dyer fol. 13. that the lease is not void.

Taking of
farmes.

Quere.

15 If any spirituall person do by himselfe, or any other for him to his use, bar, gaine & buy to sell againe for gaine, in any markets, faires, or other places, any manner of cattell, corne, lead, tinne, hides, leather, tallow, fish, wool, wood, or any manner of vitale, or marchandize, of what kind soever they be, he shall forfeit the tre-

Frying and
selling.

Ecclesiasticall persons, and livings.

ble value of the things so bought to sell againe, to the R. and J. to be recovered by A. B. P. J. &c. wherein no W. C. P. &c. And also the said bargain and contract shalbe utterly void. But a spirituall person which without fraud buyeth any houses, cat- tels, goods, &c. with only intent at the buying thereof to imploy the same to the ne- cessary apparell of himselfe, his seruants, or house, or for the only occupying or ma- nuring of his glebe or demesne lands annexed to his church, or for the necessary ex- pences of his household, and after the buying or exercising thereof, mislike the same, that they should not be good, profitable, and convenient, for any of the purposes a- bouesaid, for which they were bought, then he may lawfully bargain and put them away. And also other spirituall persons not having sufficient glebe or demesne lands in their owne hands, in the right of their churches, houses, &c. for pasturing of cat- tell, or for increase of coyne, for the only expences of their households, or for their car- riages and iourneies, may take in ferme other lands, and buy and sell coyne and cat- tell for the only manurance, tillage, & pasturage of such farmes, so that the increase thereof be alwaies imployed for the onely expences in their households, and not to buy and sell againe for any other commoditie, but onely the ouerplus of such coyne and cattell about the expences of their households, if any such shall happen to be byed and increased thereof without fraud or couin. 21. H. 8. 13.

In what ca- ses Spirituall persons may take lands in ferme.

If Spirituall person shal not occupie a par- sonage or vicarage in ferme.

If Spirituall person shal not keepe a Canne house or Bze house.

Piarallities.

which shall not be said be- nefices with cure of soule.

These may haue piaral- ties by their seruce.

16 If any Spirituall person beneficed with cure, do occupy by himselfe, or any other to his vse, any Parsonage or Vicarage in ferme of the lease or graunt of any other person, or take any profit or rent out of such farm, he shal forfeit r. s. for every weeke, that he, or any to his vse shall occupy any such ferme: And also shall forfeit ten times the value of such profit or rent which he shall take out of any such ferme, to the R. and J. to be recovered by A. J. wherein no W. C. P. &c. 21. H. 8. 13.

17 If any Spirituall person shall haue, vse, or keepe, by himselfe, or any other to his vse or commoditie, any Canne-house to be occupied to his vse or commodi- tie, or any Bze house, to any other intent then onely to be spent and occupied in his owne house, he shall forfeit. for every moneth so vsing or occupying any of the said mysteries r. l. to the R. & J. to be rec. by A. J. &c. wherein no W. C. P. &c. 21. H. 8. 13.

18 If any person hauing one benefice with cure of soule, being of the yearely value of vij. l. or above, doth accept another with cure of soule, and be instituted, and inducted in possession of the same, then immediately after such possession had thereof, the first benefice shalbe adiudged in the law to be void. And every Patron hauing the aduowson thereof, may present another, and the presentee shall haue the benefit of the same, as though the Incumbent had died, or resigned. But no Dean- rie, Archdeaconry, Chauncelorschip, Treasorschip, Chaunter ship, or Prebend, in any Cathedral or Collegiat church, nor parsonage that hath a Vicar indowed, nor any benefice perpetually appropriat, shall be taken under the name of a benefice with cure of soule. 21. H. 8. 13.

19 But all Spirituall men of the Kings Councell may purchase licence or dis- pensation, and take, receiue, and keepe thre Parsonages, or Benefices with cure of soule. And all other spirituall men not swoyne of his Councell, which be Chap- leines to the R. or A. Prince, Princeesse, or to any of the Kings children, brethren, sisters, vncles, or annes, may purchase licence or dispensation, and receiue, & keepe two benefices with cure of soule. And every Archbishop may haue vij. Chapleines, every other Bishop five, every Duke five, every Marquesse and Earle five, euerie Viscount foure, the Chauncello of England thre, euerie Baron and Knight of the Carter thre: every Dutchesse, Marquesse, Countesse, Barronnesse (being wi- dowers, or which haue taken any husband under the degree of a Baron) two: The Treasorer and Comptroller of the Kings house two, the Kings Secretary two, the Deane of the Kings Chappell two, the Kings Annex two, the Master of the Rolles two, the cheife Justice of the Kings Bench one, the Warden of the fine

Portis

Ports one Chapleine: euery of which Chapleines may purchase licence, and receive, haue & keepe, two parsonages or benefices with cure of soule. But the Chapleines so purchasing, receiuing, & keeping benefices with cure of soule, be bound to haue, and exhibite where need shall be, letters vnder the seale and signe of the B. and other their Lord & master, testifying whose Chapleines they be, or else not to enjoy any such pluralitie of benefices. And if any person to whom any Chapleines be limited by this act, shall by colour hereof, aduance any spirituall person, aboue the number to him appointed, to receiue any mo benefices with cure of soule, then is befoze limited, then the spirituall person so aduanced aboue the said number, shall incur the penaltie contained in this Act. 21. H. 8. 13.

Exhibiting letters vnder their Lords seales. Aduancing moe Chapleines then is allowed.

20. Euery brother, or sonne of any temporall Lord bozne in wedlocke, may purchase licence, or dispensation, and receive, haue, and keepe as many benefices with cure, as the chapleines of a Duke or Archbishop: and euery brother and sonne of a Knight, bozne in wedlocke, and euery Doctor and Batchelor of Diuinity, Doctor and Batchelor of law Canon, which be admitted to the said degrees, by any of the Vniuersities of this Realme, and not by grace only, may purchase licence, and take &c. two benefices with cure of soule. 21. H. 8. 13. And all Suftragans which shal exercise the said office of Suftragans, by commission of the bishop, may haue two benefices with cure. 26. H. 8. 14. 1. El. 1. But the said liberty giuen to any of the persons aforesaid, to purchase licence, or dispensation, and receive and keepe moe benefices then one, shalbe vnderstanden, to extend in number to no moe benefices with cure of soule then is aboue limited: So auing that the B. may giue to any one of his chapleines, being spirituall persons, what number of benefices or promotions spirituall he will. And also he may graunt licence to any of them for Non-residence, & the said chapleins may accept the same, without incurring any penalty. 21. H. 8. 13.

Pluralities by birth or degree.

Suftragans.

Kings Chapleines.

Residence.

21. Euery spirituall person promoted to any Archdeaconrie, Deantrie, or Dignitie in any Cathedrall church, or other church conuentionall, or Collegiall, or being beneficed within any Parsonage, or Vicarage, shalbe personally resident in, at, and vpon his said dignity, prebend, or benefice, or at one of them at the least. And if any such spirituall person do not keepe residence at one of his said dignities, prebend, or benefice, but absent himselfe wilfully by the space of one moneth together, or by the space of two moneths, to be accompted at severall times in any one yere, and make his residence and abiding in any other places by such time, then he shall forfeit for euery such default 1. l. to the B. and J. to be recovered by A. D. B. J. &c. wherein no W. C. p. 46. 21. H. 8. 13.

22. The statute of Non-residence shal not extend, nor be prejudiciall to any spirituall person being in the B. seruice beyond the sea, nor to any person going to any pilgrimage or holy place beyond the sea, during the time of their seruice and pilgrimage, and going and returning home, nor to any Scholler vnder the age of 21. yeares, being conuersant and abiding for study (without fraud) at any Vniuersitie within this Realme or without. 21. H. 8. 13. So that the said scholler be present at the ordinary lecture, as well at home in their houses, as in the common scholes, & in his proper person keep Sophismes, Problemes, Disputations, or other exercises of learning, & be opponent & respondent in the same, according to the ordinances and statutes of the Vniuersities where &c. So to any scholler, or, or aboue the age of 21. yeares, being conuersant in any of the said Vniuersities, which is Chancelor, vice-chancelor, or Commisarie of any of the said Vniuersities, or Warden, Deane, Prouost, President, Reader, Master, Principall, or other head ruler of a Colledge, Hall, &c. or Doctor of the Chaire, or Reader of Diuinitie in the common scholes, or Reader of any common lecture in Diuinitie, law Ciuill, Physicke, Philosophie, Humanitie, or any of the liberall Sciences, or common Interpreter, or Teacher of the Hebrew, Chaldee, or Græke tongue in any Colledge, or other place of the said

Who may be discharged of residence, & by what means.

Ecclesiasticall persons, and livings.

Universities: No to any person above the age of 21. yeres, which shall resort to any of the said Universities to proceed Doctor in Divinity, law Civill, or Physick, for the time of his proceeding & executing of such Sermons, Disputations, & Lectures, which by the statutes of the University he is bound unto for the said degree. 28. H. 8. 13. Neither shall this statute extend to any chapleines of the R. Prince, Princeesse, R. children, byethzen, or sisterne: no to any chaplein of any Archbishop, Bishop, spirituall or temporall L. of the Parliament, Duchesse, Marquesse, Countesse, Vicountesse, Baronnesse (being widowes, or married againe &c.) Lord Chancellor, or Treasurer of England, the R. Chamberlaine, or Steward of his household, or of the Treasurer or Controller of the kings house: No to any chapleine of any Knight of the Garter, chiefe Justice of the Kings bench, Warden of the five ports, Master of the Rolles, the R. Secretary, Deane of the R. Chappell, or of the R. Chamber, attending daily in the household of the foresaid persons; during the time that any such chapleine shall abide & dwell in any of the said households. 21. H. 8. 13. Neither shall this statute of Nonresidence be prejudiciall to any one chapleine of any of the Judges of the R. bench, or of the common pleas, of the Chancellor, or chiefe Baron of the Exchequer, of the R. Attorney, or generall Solicitor, but every of them may have one chapleine in his house, or attendant on his person, having one benefice with cure of soules, which may be absent and not resident. 25. H. 8. 16. Neither doth this statute extend to any one chapleine of the Chancellor of the Duchie of Lancaster, or of the Master of the R. Wardes & Lineries, or of the Treasurer of the R. chamber, or of the Crowne of the Roale: Every of which may retaine singularly in his house, or attendant unto his person one chapleine having one benefice with cure of soules, which may be absent from his benefice and Nonresident. 33. H. 8. 28. Neither shall this statute of Nonresidence be prejudiciall to the Master of the Rolles, or Deane of the Arches, no to any chancellor, or commissary of any Archbishop or Bishop, no to as many of the twelue Masters of the Chancery, and twelue Advocates of the Arches as be spirituall men, during the time they shall occupy their roles: No to any spirituall person, which shall by Injunction of the Lord Chancellor, or the R. Councell, be bound to daily apparance, to answer the law, during the time of such Injunction. 21. H. 8. 13. And the residence of him which shall bee Suffragan over the Dioces, where he shall have commission, shall serve him for his residence as sufficiently, as if he were resident upon any other his benefice. 26. H. 8. 14. 1. Eliz. 4.

These Chapleines must sometime resort to their cure.

23 If any chapleine of the Chancellor of the Duchie of Lancaster, of the Master of the Wardes and Lineries, of the Treasurer of the R. Chamber, or of the Crowne of the Roale, which is licensed to be absent and not resident upon his benefice, doth not repaire two times in every yere at the least to his benefice and cure, and there tarrie 8. daies at the least at every time, to visit and instruct his cure, he shall forfeit 2l. s. for every time so failing, to the R. and C. to be recovered by A. J. &c. wherein no W. C. p. 33. H. 8. 28. Such Clerkes as attend in the R. service, shall be corrected by their Ordinaries, as others bee: but so long as they are occupied about his businesse, they shall not be bound to keepe residence in their churches. Artic. Cleri 9. E. 2. 8.

first fruits.

24 If any person being elected, prefected, presented, nominated, collated, or appointed to any Archbishopricke, Bishopricke, Colledge, Hospitall, Archdeaconrie, Deanry, Priory, or Abbacy, Parsonage (exceeding the pecy value of 1. marks, after the value upon the records and booke of rates and values for the first fruits and tenths remaining in the Exchequer) Vicarage (exceeding the pecy value of 1. l. after the same rate) or other dignitie, benefice, office, or promotion spirituall, within any of the Kings dominions (the Deane and Canons of the chappell of St. George within the castle of Windosor, and all the possessions and hereditaments of the

the same chappell, the Universities of Cambridge and Oxford, and certaine colleges and Halls therein, and the colleges of Eaton and Winchester except) both not before the actual or real possession or meddling with the profits thereof, satisfie, content, and pay, or compound, or agree to pay to the la. use, at reasonable dayes, upon good suerties, the first fruits, revenues, and profits, for one yeare of the said dignity or promotion spirituall (which yere shall begin and be accompted immediatly after the vacation or avoidance of the said promotion. 28.H.8.11.) and is thereof convicted by presentment, verdict, confession, or witnesses, before such as have authoritie to compound for the said first fruits, he shall be taken an Intruder upon the la. possession, and he, his executors or administrators shall pay to the la. use, for every such offence, so much money as shall amount to the double value of the first fruits of the spirituall promotion for one yere, wherein he shall enter and intrude before the payment of the said first fruits, or agreement for the same. 26.H.8.3.1.El.4. For the court of first fruits, S.32.H.8.45.

25 All writings obligatorie, taken for the payment of the said first fruits by any person deputed to compound for the same, be of the same strength, quality and effect to all intents, as writings obligatorie made by any lay person by authoritie of the Stat. Staple bin. And no person shall be compelled to pay for any writings obligatorie to be made, for the payment of the said first fruits, above 8.D.no. for any acquisitions for the receipt thereof, above iij.D. 26.H.8.3.

Obligations
for first fruits.

The la.s.

26 But every person named, presented, or by any meanes appointed to any dignity or promotion spirituall, shall at his composition and entry into specialty for the payment of his first fruits, have allowance & deduction of the r. part of the whole, out of the summe to be paid for the said first fruits, for the yere wherein he shall be first nominated, presented, or by any other means appointed to any such dignity or promotion spirituall, according to the last rate & taxation of the r. of every such promotion spirituall. And then he shall pay unto the la. his heires & successors the said r. part the said first yere. If the successor of any Incumbent shall be charged to pay to the la. any summe of money due for the tenth, in the time of the predecessor, When he may distrain the goods of his said predecessor, or of his executors or administrators, and sell so much thereof within xij. dayes, as will satisfie him. And if he or they have no goods upon the said dignitie, he may take his remedy in the Chauncery against his said predecessor, his executors, or administrators. 27.H.8.8.

The tenths
shall be deduc-
ted forth of the
first fruits.

Tenths due
by the prede-
cessor.

27 If any Incumbent of any spirituall promotion, chargeable to pay the first fruits, doth live to the end of one halfe yere next after the last avoidance of the said promotion, so as he hath, or without couin might lawfully have received or enjoyed the rents or profits of that halfe yere, and before the end of the other halfe yere then next following doth die, or is lawfully evicted, removed, or put from the said promotion spirituall, by iudgement in an action at the common law, without fraud or couin, then he, his heires, executors, administrators, & sureties, shall be charged but only with the iij. part of the first fruits due to be paid for his said promotion, & with no more of the said first fruits: any thing in this Act, any bond or writing, or other matter notwithstanding. If the Incumbent live by the space of one whole yere next after the last avoidance of the said promotion spirituall, & then before the end of one halfe yere then next after shall fortune to die, or be lawfully evicted, removed, &c. then he, his executors, or &c. shall be charged but only with the moitie of the first fruits &c. and with no more. If the Incumbent live to the end of one whole yere & a halfe next after the last avoidance &c. and then before the end of sixe moneths then next following shall fortune to die, or be lawfully evicted, &c. Then he, or &c. shall be charged but only with thre parts of the first fruits of the same promotion spirituall in foure to be divided, and with no more. If the Incumbent doth live to the end of two whole yeres next after the last avoidance of the same his promotion spirituall,

The rate how
by death or e-
vacuation the in-
cumbent shall be
discharged of
the first fruits
or part thereof

An ij.

and

Ecclesiasticall persons, and livings.

and not be lawfully evicted, remoned, or put from the same &c. then he, his heires, executors, administrators, and sureties, shalbe charged with the whole first fruits. 1. Eliz. 4.

Tenches.

28 Every Archbishop, Bishop, Archdeacon, Deacon, Prebendary, Parson, Vicar, and other, having any benefice or promotion spiritual, in England, or Wales, shall yearly pay to the King, his heires and successors, at the feast of the Nativite of our Lord, one yearly rent or pension, amounting to the value of the tenth part of all the revenues, rents, farmes, tithes, offerings, and emoluments, and all other profits, as well spirituall as temporall, belonging to any of the said dignities or promotions (which tenth every of them shall be charged to pay in the proper Dioces where they be, wheresoever their possessions and profits do lie) & which tenth every Archbishop and Bishop is charged to levie, collect, and receive within his proper Dioces, as well in places exempt, as not exempt, and they, their executors, and administrators, and the possessions of their churches, shall stand charged for the payment of such sums as they shal collect. And when any sea is void, then the deane and chapter of the cathedrall church where &c. their executors, administrators, and possessions shalbe charged for the execution of this act, within the said dioces. But this act doth not charge any hospitall founded and used, and the possessions thereof employed to and for the reliefe of the poore, or any schools, or the possessions of them with the payment of any tenths, or first fruits. 26. H. 8. 3. 1. El. 4. 34. H. 8. 17. S. 23. H. 8. 47. The Bishop of Norwich shall collect the tenth within his Dioces.

The Bishops Collectors of tenths.

Hospitall. Schoule.

The penaltie for default of payment of the tenths.

29 If any summe of money being once due, by any Incumbent, of any dignity, benefice, or promotion spirituall, charged to the payment of the said tenths, be reasonably demanded after the feast of the Nativite of our Lord God, at his dignity or church, by the Archbishop, Bishop, or such as shall be charged with the collection of any part of the said pension, or by any of their ministers, servants, or officers, and the said Incumbent doth not content and pay the same unto the said archbishop bishop, or other ministers, every yere yerely at the request thereof, or else within xl. days after at the furthest: Then every Incumbent making such default after the default certified into the Kings Exchequer in writing, vnder the seales of the Archbishop, Bishop, or such as be charged with the collection of the said tenth, shalbe adjudged deprived (ipso facto) of that dignitie or benefice only, wherof such certificat shalbe made. 26. H. 8. 3. 2. E. 6. 20. And the said Archbishop or Bishop making such certificat (before or at the last day of May. 7. E. 6. 4.) shall be discharged against the King for such summe of money as the said Incumbent should haue paid. 26. H. 8. 3. And also the said Archbishops, Bishops, and any of their deputies, and other accountants authorized to account for them, upon their accounts of and for the said yerely tenth, shall be discharged upon their othes, of payment of such summes of money of the said annuall rent or tenth as they cannot lawfully leuy. 32. H. 8. 22. S. Exchequer 9.

The fruits taken in the vacation restored to the next Incumbent.

30 If any Bishop, Archdeacon, Vicar, or other person to his vse, do receive or take the fruits, tithes, oblations, commodities, revenues, rents, profits, or casualties, comming, or growing, or belonging to any Archdeaconrie, Deanry, Prebend, Parsonage, Vicarage, Wardenship, Monastship, or other spirituall promotion, benefice, dignity, or office, during the vacation of the same, and upon reasonable request made, doe not restore and pay the same to the next Incumbent, being lawfully instituted, inducted, or admitted to such Archdeaconry, Parsonage, or promotion, or doth let or interrupt the said Incumbent to haue the same: Then he shall for the treble value of so much as he shall haue received of the said fruits, or hath let or interrupted the Incumbent to receive and take of the said fruits, tithes, &c. to the King and the Incumbent &c. to be recovered by A. I. &c. wherein no W. C. p. &c. For every person presented, promoted, admitted, instituted, or inducted,

to

to any promotion spirituall, and his executors, shall have the tithes, fruits, oblations, and all other whatsoever revenues, casualties, and profits, certain and uncertaine, belonging to the said promotion, growing, rising, or coming, during the vacation of the same promotion (saying that if the first Incumbent have solv'd any part of his glebe lands, he may declare his Testament of the profit of the Cozne growing upon the same.) And also the Bishop, Archdeacon, Ordinarie, or their Ministers, may retain in their custodie so much of their Tithes, fruits, and other commodities, as shall amount to pay such person as hath served the Cure during the vacation, his reasonable stipend, and also for the gathering and leuying of the tithes, fruits, and profits, rising and growing during the vacation. If the fruits of the vacation of such spirituall promotion be not sufficient to pay the Curats stipend and wages for serving the Cure the vacation time, then the same shall be borne and payed by the next Incumbent within xiiij. daies after he hath the possession of the said spirituall promotion. And also the yere in which the first fruits shall be paid to the King, shall begin, and be accounted immediately after the avoidance or vacation of such benefice or spirituall promotion. 28.H.8.11.

The Incumbents benefice & charge shall begin during the vacation.

31 An union or consolidation of two churches in one, or of a church and a chappell in one, the one of them not being above the yerely value of vij.l. as it is valued at to the B. in his Exchequer, and not distant from the other above one Myle in any place within this Realme of England, may be had or made by the assent of the Ordinarie and Ordinaries of the Dioces where such churches and chappells stand, and by the assents of the Incumbents of them, and of all such as have iust right, title, and interest to the patronages of the same, being then of full age. And such unions and consolidations made of two churches in one, or of a church and chappell in one, shall be good and available in the law to continue for ever united in one, in such manner and forme, as by writing under the seale of such Ordinaries, Incumbents, and Patrons, it shall be declared: alwaies saving to the B. the tenths and first fruits of all such churches and chappells as shall be united in one, according to such like rates as the same are now rated at in the Exchequer. 37.H.8.21.1.Eliz.4.

Union of two Churches.

32 But all unions and consolidations to be made of any church or chappell, within any cite or towne corporate within England, without the assent of the Mayor, Aldermen, and Commonalties of the cite, or without the assent of such bodies corporate of other Townes corporate, where such churches, church or chappell shall be, by the names of their Corporations in writing under their common seale, shall be clearly voyd. 37.H.8.21.1.Eliz.4. For vnion of Churches in Yorke.S. 1.Edw.6.9.

Unions in corporate Townes.

33 Provided, that where the inhabitants of any such parochiall, or the more part of them, within one yere next after the union of the same Parish, by their writing sufficient in the law, shall assure the Incumbent of the said Parish for the yerely payment of so much money, as with the summe that the said Parish is valued at in the Exchequer shall amount to eight pounds, to be paid yerely by the said inhabitants to the said Incumbent and his successors, then all such unions and consolidations to be made of any such parochiall shall be void. But this promise shall not extend to any union of any Church or Chappell made before the making of this statute. 37.H.8.21.1.Eliz.4. Anno 15.R.2.6.&4.H.4.12. It was ordained, that in every Licence which should be made out of the Chancery to appropriate any parish church, it should be expressly contained, that the Diocesan of the place where the appropriation of any such Church should be, should appoint according to the value of the Church, a convenient summe of money to be paid and distributed yerely of the fruits and profits of the same Church, to the parochiall officers of the same parish in aid and maintenance of their livings. And that there should be also a Vicar ordained by the Ordinarie, which should be well & sufficient

The union avoided upon a competent living assured.

Appropriation.

Vicar.

Ecclesiasticall persons, and liuings.

ly endowed, so that he might doe diuine seruice, instruct the people, and keepe hospitalitie there.

In what cases trees may be cut downe in Churchyards.

34 For as much as the Churchyard is the soyle of the Church, & whatsoeuer is planted belongeth to the soile, it must needs follow, that those trees which be growing in the Churchyard are to be numbred amongst the goods of the Church, the which lay men haue no libertie to dispose: But because those Trees be planted to defend the force of the wind from hurting the Churches, the Parsons of Churches shall not presume to cut them downe vnadvisedly, but when the Chauncell of the Church hath need of necessarie reparations: Neither shall they be conuerted to any other vse, except the bodie of the Church doth neede like repaire, in which case the Parsons of their charity shall doe well to relieue the parishioners with the same trees. 35. Ed. 1. Ne Rectores prosteruant arbores in Cemiterio. This is not apely to be termed a statute, but rather a request, counsell, or aduertisement of K.E. 1. Ideo Quere for the validitie thereof.

Recovery and conuicte in a tempozall court of a spiritual liuing.

35 S. Tithes 23. In all cases where any person hauing estate of inheritance, freehold, ferme, or interest in any parsonage, vicarage, or other Ecclesiasticall profit made tempozall, shalbe wrongfully put out of the same, he may haue his remedy in a tempozall court by original writ out of the Chancery: And also writs of covenant, and other writs for fines to be leuied of Parsonages, Vicarages, &c. shalbe sued out of the Chancery, and iudgements giuen and fines leuied of the same be good and effectual in law.

Taking reward for his voice in electing a fellow, scholler, &c.

36 If any person or persons, bodies politique or corporat, which haue election, presentation, or nomination of any fellow, scholler, or any other person, to haue some or place in any Churches collegiat, Colledges, Scholes, Hospitals, Halls, or Societies, shall haue receiue, or take any money, fee, reward, or any other profit directly or indirectly, or shall take any promise, agreement, covenant, bond, or other assurance, to receiue or haue any money, fee, reward, or any other profit directly or indirectly, either to him or themselves, or to any other of their, or any of their friends for his or their voice or voices, assent or assents, or consents, in electing, choosing, presenting, or nominating any officer, fellow, scholler, or other person to haue any some or place in any the said Churches, Colledges, Halls, Scholes, Hospitals, or Societies, When & from thenceforth, the place, some or office, which such person so offending, shall then haue in any the said Churches, Colledges, Scholes, Halls, Hospitals, or Societies, shall be void. And then as well the other heires and successors, and euery other person and persons, or their heires or successors to whom the presentation, donation, gift, election, or disposition, shall of right belong or appertaine of any such of the said some or places of the said person offending as aforesaid, shall or may at their pleasure, elect, present, nominate, place, or appoint any other person or persons in the some, office, or place of such person or persons so offending, as if the said person or persons so offending then were naturally dead. 31. El. 6.

Giving or taking of money for resigning a place.

37 If any fellow, Officer, or scholler of any the said Churches, Colledges, Scholes, Halls, Hospitals, or Societies, or other persons hauing some or place in any of the same, shall at any time hereafter, directly or indirectly, take or receiue, or by any way, deuice, or meanes, contract or agree to haue or receiue any money, reward, or profit whatsoeuer, for the leauing or resigning by of the same his some or place for any other to be placed in the same: then euery person so taking or contracting, or agreeing to take or haue any thing for the same, shall for double the summe of money or value of the thing so receiued & taken, or agreed to be receiued or taken. And euery person by whom or for whom any money, gift, or reward, as aforesaid, shall be giuen or agreed to be paid, shall be vncapable of that place or some for that time or tyme, & shall not be, nor had, nor taken to be a lawfull fellow, scholler, or Officer of any the Churches, Colledges, Halls, Hospitals, Scholes, or Societies, or to haue

haue such rōme oꝝ place there: But they to whom it shall appertaine at any time thereafter, shall and may elect, chuse, present, and nominate any other person fit to be elected, presented, oꝝ nominated into the said rōme oꝝ fellowship, as if the said person, by, oꝝ foꝝ whom any such money, gift, oꝝ reward, shall be giuen oꝝ agreed to be payd, were dead, oꝝ had resigned and left the same. 31. El. 6.

38 At the time of every election, presentation, oꝝ nomination of fellowes, Schollers, Officers, and other persons to haue place in any of the said Churches, &c. as well this present Act, as the orders and statutes of the same places, concerning such election, presentation, oꝝ nomination to be had, shall then and there be publickely read, vpon paine that every person in whom default thereof shall be shall foꝝfeit xl. s. The one moiety whereof shall be to him oꝝ them that will sue foꝝ the same, the other moiety to the vse of the said church, colledge, hall, hospitall, schoule, oꝝ societie where such offence shall be committed, to be recovered in any her Maiesties Courts of Record, by any person oꝝ persons, bodies politike and corporate, that will sue foꝝ the same by A. B. J. wherein no W. C. P. &c. 31. Eliz. 6.

At every election this statute & the statutes of the house shall be read.

39 If any person oꝝ persons, bodies politike oꝝ corporate, shall oꝝ do foꝝ any sum of money, reward, gift, profit, oꝝ benefit, directly oꝝ indirectly, oꝝ foꝝ, oꝝ by reason of any promise, agreement, graunt, bond, covenant, oꝝ other assurance, of, oꝝ foꝝ any summe of money, reward, gift, profit, oꝝ benefit whatsoeuer, directly oꝝ indirectly, present oꝝ collate any person to any benefice with cure of soules, dignitie, prebend oꝝ living Ecclesiasticall, oꝝ giue oꝝ bestowe the same, foꝝ, oꝝ in respect of any such corrupt cause oꝝ consideration; then every such presentation, collation, gift, and bestowing, and every admission, institution, inuестure, and induction thereupon, shall be utterly void, frustrate, and of none effect in law. And it shall and may be lawfull, to and foꝝ the A. her heires & successours, to present, collate vnto, oꝝ giue, oꝝ bestow every such benefice, dignitie, prebend, and living Ecclesiasticall foꝝ that one time oꝝ turne onely. And all and every person oꝝ persons, bodies politike and corporate, that from hencefoꝝth shall giue oꝝ take any such summe of money, reward, gift, oꝝ benefit, directly oꝝ indirectly, oꝝ that shall take oꝝ make any such promise, graunt, bond, covenant, oꝝ other assurance, shall foꝝfeit the double value of one yeares profit of every such benefice, dignitie, prebend, & living Ecclesiasticall to the A. and J. to be rec. by A. B. J. wherein no W. C. P. &c. And the person so corruptly taking, procuring, seeking, oꝝ accepting any such benefice, dignity, prebend, oꝝ living, shall thereupon & from thencefoꝝth be adiudged a disabled person in law, to haue oꝝ inioy the same benefice, dignity, prebend, oꝝ living ecclesiasticall. 31. El. 6.

Presenting oꝝ collating to a Benefice foꝝ reward.

40 If any person shall foꝝ any summe of money, reward, gift, profit, oꝝ commodity whatsoeuer, directly, oꝝ indirectly (other then foꝝ vsuall and lawfull fees) oꝝ foꝝ, oꝝ by reason of any promise, agreement, grant, covenant, bond, oꝝ other assurance, of, oꝝ foꝝ any summe of money, reward, gift, profit, oꝝ benefit whatsoeuer, directly oꝝ indirectly, admit, institute, install, induct, inuест, oꝝ place any person in, oꝝ to any benefice with cure of soules, dignitie, prebend, oꝝ other living Ecclesiasticall: then every such person so offending, shall foꝝfeit the double value of one yeares profit of every such benefice, dignitie, prebend, and living Ecclesiasticall to the A. and J. to be recovered by A. B. J. wherein no W. C. P. &c. And thereupon immediately from and after the inuестing, installation, oꝝ induction thereof had, the same benefice, dignitie, prebend, and living Ecclesiasticall shall be estones mērely void: And the Patron oꝝ parson to whom the Aduowson, gift, presentation, oꝝ collation shall by law appertaine, shall and may by vertue of this Act, present oꝝ collate vnto, giue and dispose of the same benefice, dignitie, prebend, oꝝ living ecclesiasticall, in such foꝝt to all intents and purposes, as if the partie so admitted, instituted, installed, inuessed, inducted, oꝝ placed, had ben, oꝝ were naturally dead. But no title to conferre oꝝ present by Lapse, shall accrue vpon any voidance mentioned in this Act

Admitting to a Benefice foꝝ reward.

Lapse.

Ecclesiasticall persons, and livings.

Act, but after sixe monethes next after notice giuen of such voydance by the Vicarie to the Patron. 31. Eliz. 6.

Corrupt resigning or exchanging of a Benefice.

41 If any Incumbent of any benefice with cure of Soules, do or shall corruptly resigne or exchange the same, or corruptly take, so, or in respect of the resigning or exchanging of the same directly or indirectly, any pension, sum of money, or benefit whatsoever, then as well the giuer as the taker of any such pension, summe of money, or other benefit corruptly, shall lose double the value of the summe so giuen, taken, or had, to the R. & I. to be rec. by A. B. I. wherein no W. C. P. &c. 31. Eliz. 6.

Ecclesiasticall penalties not restrained by this Act.

42 This act shall not extend to take away or restraîne any punishment, paine, or penaltie, limited, prescribed, or inflicted by the Lawes Ecclesiasticall, so any the offences before in this act mentioned, but the same shall remaine in force, & may be put in due execution, as it might be before the making of this act: this act &c. notwithstanding. 31. Eliz. 6.

Rewards for making of ministers, or giving licence to preach.

43 If any person or persons whatsoever, shall or do receiue or take any money, fee, or reward, or other profit directly or indirectly, or shall take any promise, agreement, couenāt, bond, or other assurance, to receiue or haue any money, fee, reward, or any other profit directly or indirectly, either to him or themselves, or to any other of their, or any of their friends (all ordinary and lawfull fees only excepted) so, or to procure the ordaining or making of any Minister or ministers, or giving any Orders, or licence or licences to preach: then every person and persons so offending shall for every such offence for. x. l. and the party so corruptly made Minister, or taking Orders, x. l. to the R. and I. to be recovered by A. B. I. wherein no W. C. P. &c. And if at any time within by. yeres next after such corrupt entring into the Ministry, or receiuing of Orders, he shall accept or take any benefice, living, or promotion ecclesiasticall, then immediately from and after the induction, inuesting, or installation thereof, or therein to had, the same benefice, living, and promotion Ecclesiasticall shall be voides merely void. And the patron or parson to whom the aduowson, gift, presentation, or collation shall by law appertaine, shall and may by vertue of this act, present, or collate vnto, giue and dispose of the same benefice, living, or promotion ecclesiasticall, in such sort to all intents and purposes, as if the partie so inducted, inuested, or installed, had bin or were naturally dead: any law, ordinance, qualification, or dispensation, to the contrary notwithstanding. 31. Eliz. 6.

Doctors of the law married.

44 All and singular persons, as well lay, as those that now be, or hereafter shall be married, being Doctors of the Ciuill Law, lawfully creat and made in any University, which shall be made, ordained, constituted, and deputed to be any Chancellor, Vicar generall, officiall, scribe, or register, by the King his heires or successors, or by any archbishop, bishop, archdeacon, or other person whatsoever hauing authority vnder the R. his heires or successors, to make any Chancellor, Vicar generall, commissarie, officiall, or register, may lawfully execute and exercise all manner of iurisdiction, commonly called ecclesiasticall iurisdiction, and all censures and coercions appertaining or in any wise belonging vnto the same, albeit such person or persons be lay, married or unmarried, so that they be doctors of the ciuill law, as is aforesaid: any law, constitution, &c. notwithstanding. 37. H. 8. 17. 1. El. 1.

Remedy for the successors of Prelates.

45 If any wrongs or extorsions be done to prelates of the church, & they prosecuting their suits for such extorsions be prevented by death before Iudgement giuen therein, their successors shall haue actions to demaund the goods of their church out of the hands of such trespassors. And the successors that haue like action for such things as were lately withdrawne by such violence from their house & church before the death of their predecessors, though it so be that their predecessors did not pursue their right during their lines. And if any intrude into the lands or tenements of such religious persons in time of vacation, of which lands their predecessors died seised, as in the right of their church, the successors shall haue a writ to recover their seisin: and

Writ of Infrusion.

and damages shall be awarded them as in assise of Nouel disseisin is accustomed to be. Marlb. 5. H. 3. 28.

46 Parsons, Vicars, Curates of chappels, and Priouists, shall haue their Iuris vtum, Iuris of lands, tenements, rents, and possessions, annued and giuen perpetuallie in almes to vicarages or chappels, and recouer by other Iuris in their case, as far forth as Parsons of churches or Prebends. 14. Ed. 3. 17.

47 Ecclesiasticall Judges, nor other, shall be bound, compelled by duresse, nor indicted, nor imprisoned, for suits in any spiritual courts for tithes, or other duties: & if any procure such indictments, or themselves be such indicted, after the indictes be acquitted, the procurors shall incur the penaltie of the statute of Westm 2. 12. ordained against those that procure false appeales. And the Iustices before whom such Iudices shall be acquitted, shall inquire thereof and punish it. 1. R. 2. 13.

1 Ecclesiasticall persons shall not be molested, which are in preaching, or doing diuine seruice. S. Arrest. 1. Preachers.

2 An Incumbent may declare his will of corne sown vpon his glebe land. S. Testaments 21. Cozne sownen.

3 What Ecclesiasticall persons shall forfeit, which do not say Common prayer, or minister the Sacraments as they ought. S. Sacraments 2. 10. Common Prayer.

4 Which Ecclesiasticall persons shall take the othe for the Kings supreme gouernment &c. S. Crowne 5. 6. 8. 10. Dthe.

5 The goods of an Ecclesiasticall person shall not be taken by any Purueyors. S. Purueyors 2. Purueyors.

6 No Alien shall take a benefice within England, without licence. S. Præm. Alien. nire 2. 3. 4.

7 Ecclesiasticall persons may be punished by their Ordinaries for incontinencie. S. Incontinencie 1. Incontinencie.

8 The Clergie shall make no constitutions without the kings assent. S. Conuocation 2. Constitutions.

9 What an Ecclesiasticall person shall forfeit, which giueth licence to eate flesh to him that hath no need. S. Fish days 4. Licence.

10 How many horses every Ecclesiasticall person is chargeable to keepe. See Horsen. Horsen 10. 11.

11 How many sheepe Spirituall persons may keepe. S. Sheepe 10. Sheepe.

12 Forcible entry, or forcible detaining of Ecclesiasticall livings. S. Force &c. 2. Force.

13 Concerning remedy for dilapidations made by any Ecclesiasticall persons. S. Dilapidations 1. 2. Dilapidations.

14 In what fees of the Church a distresse may be taken. S. Distresse 3. Distresse.

15 For fresh suit by writ of Entry, &c. after the disseisin by Prelats. S. Age 1. Disseisin.

16 Where title to present by Lapse shall not accrue to the Ordinarie, but after six moneths after notice. S. Lapse 1. Lapse.

17 Where it is Mortmaine for any Spirituall person to enter into lands and make a Churchyard or buriall place thereof. S. Mortmaine 2. Mortmaine.

18 What assurances of lands may be made to Churches, Chappels, Churchwardens &c. in what sort, and for how long time. S. Mortmaine 6. 7. Assurance to Churches.

19 How much Ecclesiasticall persons, and their farmors shall take for Mortuaries, and of whom. S. Mortuaries. Mortuaries.

20 The remedy where a disturber presenteth to a Church during the vacation. S. Aduowson 1. Vacation.

21 A confirmation of Ecclesiasticall livings before assured to K. H. 8. and K. E. 6. S. Monasteries 29. 32.

22 What remedy a Parson of a Church shall haue to recouer land or common of pasture, whereof he or his predecessor was deforced. S. Quod permittit 1.

Egyptians. Entre. Error.

23 The successors remedie for a Tenth which he shall bee charged to pay for his predeceffors. S. 27. H. 8. 8.

Egyptians.

Bringing o-
ner Egyp-
tians, or
suing
for licence
for them.

It is felonie
for Egyptians
to continue
within this
realme a mo-
neth.

If any person doth willingly transport into England or Wales, any persons commonly called Egyptians, or doth sue for any letter, licence, or passport for any of the said Egyptians, to continue in England, or Wales, contrary to this statut, he shall forfeit. x. l. to the D. and J. to be recovered by A. J. et. wherein no W. C. p. et. And also such letter, licence, and passport shalbe void. 1. & 2. P. & M. 4.

2 If any persons called Egyptians, being above the age of xiiij. yeares, which shall be transported into England or Wales, doe continue within the same by the space of one moneth, or any persons having of the age of xiiij. yeares, shall bee seene in any companie of the Wagabonds, calling themselves Egyptians, or counterfeiting, transfoyming, or disguising themselves by their apparell, speech, or other behaviour, like unto Egyptians, and so shall continue, either at one or severall times, by the space of a moneth, they shall bee adjudged felons. 1. & 2. P. & M. 4. 5. Eliz. 2. 0.

1 An Egyptian shall not have his Clergie. S. Clergie 11.

2 The triall vpon arraignment of Egyptians, shall not be per Medietatem lin-
gue. S. Jurors 30.

Entre.

A disseisor dy-
ing seized ta-
keth away no
title of Entre.

The dying seized of any Disseisor, of, or in any manors, lands, tenements, or other hereditaments, having no right or title therein, the which with strength, and without title entered into the same, and wrongfully disseised the rightfull owners and possessors thereof, shall not be taken any such descent in Law, for toll or take away the Entre of any such person or persons, or their heires, which at the time of the same descent had good and lawfull title of Entre into the said manors, lands, tenements, or hereditaments, Except that such disseisor hath had the peaceable possession of such lands, et. whereof he shall so dye seized, by the space of five yerres next after the disseisin therein by him committed without Entre or continuall claime, by, or of such person or persons, as have lawfull title thereunto. 3. H. 8. 33. Vide Dyer fol. 219.

writs of En-
tre in the poss.

2 If those alienations whereof a writ of Entre had wont to be granted, be past so many degrees, whereby that writ cannot be made according to the forme before time used, the plaintifes shall have a writ to recover their seisin, without making mention of any degrees, to whose hands soever by such alienations the thing shall come. Marlb. 5. H. 3. 29.

1 Where a writ of Entre is maintainable for the disseisee, or his heire, against the disseisor, or his heire. S. Age 1.

Error.

He in the re-
version shall
have a writ of
Error & De-
taint upon a
judgement gi-
ven against
the particular
tenant.

If the tenant for terms of life, tenant in dower, tenant by curtesie of England, or tenant in tail after possibilitie of issue extinct, be impleaded, and plead to an Enquest, and lose by verdict, default, or other manner, he to whom the reversion of the tenements so lost pertaineth at the time of the iudgement given, his heires and successors shall have an action by writ of Attaint, to attaint the same Jurie, if he will assigne the same to be false, and also by writ of Error, if Error be found in the record of such iudgement, as well in the life of such tenants that so do lose, as af-
ter

ter their death. And if such iudgement erroneous be reuerſed, or ſuch falſe othe be found, the tenant that did loſe by the firſt iudgement (if he be liuing) ſhall be reſtored to his poſſeſſion of the tenement ſo loſt, with the iſſues in the meane time, and the parties purſuing, to the arrearages of the rent, if any be due, of the ſame Tenements. And if ſuch tenant be dead at the time of the iudgement giuen vpon ſuch writs of Attaint, and of Error, reſtitution of the ſaid tenements ſhall be made to the parties purſuing, with the iſſues, after the death of the ſayd tenant, together with the arrearages of the rent, if any to him were due in the liſe of the tenant. But although the tenant which ſo did loſe by iudgement be liuing, and the parties purſuing will alledge that the ſame tenant was of couin, and of the aſſent of the demandant which recovered, ſo loſe ſuch tenements, yet reſtitution ſhall be made to the ſame parties purſuing, with the iſſues & arrearages: ſauiug to ſuch tenant his Action of Scire fac' out of the ſame iudgement ſo reuerſed, or by writ of Attaint, if he will traueſſe the couin and aſſent, and not otherwiſe. 9. R. 2. 3. S. Recoueries 5.

2 In all caſes touching the king, or other perſons, where a man complaineth of Error made in proceſſe in the Exchequer, the Chancelor and Treafurer ſhall cauſe to come before them in any chamber of Counſell nigh the Exchequer, the record of the proceſſe out of the Exchequer, and taking to them the Juſtices, and ſuch other Judges as they ſhal thinke meet, they ſhal call before them the Barons of the Exchequer, to heare their Informations, & the cauſes of their Judgements, and ſhall duly examine the matter. And if any Error be found, they ſhall correct it, and amend the rolles, and after ſend them backe into the Exchequer therof to make execution, as the cauſe requireth. 31. Ed. 7. 12. The not coming of the Lord Chancellor, and the Lord Treafurer, or either of them at the day of adiournement in any ſuch ſuit of Error, depending by vertue of the ſaid ſomer ſtatute, ſhall not be any diſcontinuance of any ſuch writ of Error. But if both the chiefe Juſtices of either Bench, or any one of the ſaid great Officers, the Lord Chancellor, or Lord Treafurer ſhall come to the Exchequer Chamber, and there be preſent at the day of adiournement in ſuch ſuit of Error, it ſhalbe no diſcontinuance, but the ſuit ſhal proceed in law to all intents & purpoſes, as if the L. Chancellor, & L. Treafurer had come & bene preſent at the day and place of adiournement. Provided alwayes, that no Judgement ſhall be giuen in any ſuch ſuit or writ of Error, vniſſe both the L. Chancellor, and Lord Treafurer ſhalbe preſent thereat. 31. Eliz. 1.

Error in the
Exchequer.

3 Where any Judgement ſhall at any time hereafter be giuen in the Court of the Kings Bench, in any ſuit, or Action of debt, Detinue, Couenant, Accompt, action vpon the caſe, Eiectione firme, or Treſpas, firſt commenced, or ſo be firſt commenced there (other then ſuch only where the Duene ſhall be partie) the parties plaintiffe, or defendant, againſt whom any ſuch Judgement ſhall be giuen, may at his election ſue forth out of the Court of Chancery, a ſpecial writ of Error to be deuiled in the ſaid Court of Chancery, directed to the chiefe Juſt. of the ſayd Court of the K. Bench ſo; the time being, commanding him to cauſe the ſaid Record, and all things concerning the ſaid Judgement, to be brought before the Juſt. of the Common Bench, and the Barons of the Exchequer, into the Exchequer chamber, there to be examined by the ſaid Juſtices of the Common bench, and Barons aforesaid, which ſaid Juſt. of the Common bench, and ſuch Barons of the Exchequer as are of the degree of the Coſſe, or ſire of them at the leaſt, by vertue of this preſent act, ſhall thereupon haue full power and authority, to examine all ſuch errors, as ſhall be assigned or found in, or vpon any ſuch Judgement, and thereupon to reuerſe or affirm the ſaid Judgement, as the Law ſhall require, other then ſo; Errors to be assigned or found, ſo; or concerning the Iuriſdiction of the ſaid Court of K. bench, or ſo; any want of forme in any writ, returne, plaint, bill, declaration, or other pleading, proceſſe, verdict, or proceeding in whatſoever: And after that the ſayd Judgement

Judgements
giuen in the
K. Bench
examined.

Error.

Escape.

shall be reversed or affirmed, the said Record and all things concerning the same, shall be removed and brought back into the said Court of the B. Bench, that such further proceeding may be thereupon, as well for Execution, as otherwise, as shall appertain. 27. Eliz. 8.

**Erronious
iudgment exam-
ined in par-
liament.**

4 And such reversall or affirmation of any such former iudgement, shall not be so small, but that the partie who kindeeth him grieved therewith, shall and may sue in the High Court of Parliament, for the further, and due examination of the said Iudgement, in such sort as is now used upon Erronious Iudgements in the Court of Kings Bench. 27. Eliz. 8.

**Three Justices
may receive writs,
and award
proces.**

5 If the full number of the Justices and Barons authorized by the said Act (of 27. El.) come not at the day or time of returne or continuance of any such Writ of Error, it shall be lawfull for any three of the said Justices and Barons at everie of the said daies and times, to receive Writs of Error, to award proces thereupon, to make and prefix dayes from time to time, of & for the continuance of all such writs of Error as shall be there returned, certified, or depending. And the same shall be to these respects as good and available, as if al the Justices and Barons authorized by the same Act were present. And the Justices and Barons authorized by the said statute, may after that lawfully proceed in all those cases in such sort, to all intents, as they might do in other cases mentioned in the said statute: any not coming of any the said Justices or Barons notwithstanding. Provided nevertheless, that no iudgement shall be given in any such Suit or Error, unless it be by such full number of the said Justices and Barons, as are in that behalfe authorized and appointed by the said Act. 31. Eliz. 1.

**No iudgment
given but by
the Justices
at the least.**

**Error sued in
Parliament.**

6 But the partie plaintife or defendant against whom any such iudgement hath bene heretofore, or hereafter shall be given in the said Court of the Kings Bench, may at his election sue in the High Court of Parliament for the reversall of any such Iudgement, as heretofore hath bene usual or accustomed: Any thing in this statute, or in the said former Act to the contrarie thereof notwithstanding. 31. Eliz. 1.

**Iudgement
shall continue,
untill it be re-
versed.**

7 After iudgement given in the Kings Courts, the parties and their heirs shall be thereof in peace, untill the Iudgement be undone by Attaint or Error, if there be Error, as hath bene used by the Lawes in the time of the Kings Progenitors. 4. H. 4. 23.

1 A Writ of Error shall be sued in the Kings Bench of Erronious Iudgement given in the Marshallsey. S. Marshal 5.

2 Where the defendant in a writ of Error shall recover his costs and damages. S. Damages 5.

3 Iudgement given after Demurrer, shall not be reversed by writ of Error, for imperfection in writ, pleading, &c. S. Demurrer 1.

4 Where, & for what causes a fine or recovery may be reversed by writ of Error, and where not. S. Fines 20. 21. 30. 31.

5 Where erronious Iudgements given before the Justices of the xij. shires in Wales, shall be redressed. S. Wales 24.

6 In what onely case execution shall be staid by writ of Error. S. Execution 5.

Escape.

**Escape of an
Accountant.**

If the Whirfe or Gaoler do suffer any chamberlain, baylife, servant, or other Receiver to go at libertie, which is committed to Prison by the Auditors of his account, by the common writ of Replegiare, or otherwise, without his spawlers assent, and be thereof convict, he shall and were to the spawler of such accountant, the damages which he hath received by the said accountant, according as they may be

proued by the countrey, and he therefore shall haue an action of debt, and if the gaoler be insufficient, his superior that committed the gaole vnto him, shall be answerable by the same writ. West. 2. 13. Ed. 1. 13. S. Accomptant 2.

2 If the Sheriffe or any other do take, or leuie any thing for the Escape of any felon, before it be aduinged by the Iustices in Eyre, he shall restore to the partie, or him that payed it, as much as he received, and to the King as much. West. 1. 3. E.

Laying of money for Escapes.

3 For the Escape of felons and Clerkes conuict shall be aduinged by the same Iustices and by their view leuied. 3. 1. E. 3. 14.

4 If the Wardens of the Fleet doe suffer any Prisoner there being by iudgement at the suit of the partie to go out of Prison by Bayle, Gainpise, or Bailon, without agreeing with the partie at whose suit he is there (except it be by the Kings writ or commandement) he shall lose his office. And if the said Wardens be attained by due proces, the Plaintiffe shall haue his recorde against him by A. of Debt, wherein no W. 1. R. 2. 12. By the statute of 7. H. 4. 4 the Wardens of the prisons of the Marshalsey, Kings Bench, and other Prisons in Cities, Boroughs, and Townes, are chargeable accordingly, if they let any prisoners condemned goe at libertie.

A prisoner condemned goeth by bayle or bailon.

1 The towne shall be amerced for the escape of a murderer. S. Murder 1.

2 How an escape of him which disturbeth a Preacher in his Sermon shall be inquired of &c. S. Preachers 3.

3 Iustices of peace haue authoritie to inquire of escapes of Felons. S. Iustices of Peace 19.

4 A Coroner shall inquire of the escape of a Murderer. S. Coroners 13.

Escheton.

If any person named, and certified into the Chancerie by the Lord Treasorer to be Escheton, do not within one moneth next after his letters patents shall be offered vnto him, take vpon him the execution of the same office, or else within the time aforesaid appears in the Exchequer, & shew a reasonable cause why he ought not so to do, he shall forfeit for every such default to the King xx. l. 3. H. 8. 22.

Within what time an Escheton appears to shew cause why he ought not to take the office.

2 An Escheton which shall sit onely by vertue of his Office to inquire of the tenure, title, or value of any lands, tenements, or hereditaments, being of the yearly value of v. l. or above, and holden of the King, without the Kings writ directed to him for the same, shall forfeit v. l. for every time that he shall sit and make inquirie to the contrary, &c. 3. H. 8. 22.

No office of lands to the value of v. l. virtute officij.

3 If any Escheton doth take above the summe of xv. s. for the finding of an Office of any lands, tenements, or hereditaments, not exceeding the cleare yearly value of v. l. viz. for the Eschetons fee vj. s. viij. d. for writing of the Office iij. s. iij. d. for the charges of the Iurie iij. s. and for the Officers that shall receive the said Office in any Court of Record ij. s. he shall forfeit for euery time so offending v. l. to the King and I. to be recovered by A. J. &c. wherein no W. 1. C. 10. 4. 3. H. 8. 22.

The Escheton fees for the land doth not exceed v. l.

4 If any Escheton, or Commissioner doth returne, or put into any of the Kings Courts, any Inquisitions, or Offices concerning lands, tenements, or hereditaments, not found nor presented by the othes of xi. men, and indented, and by them sealed, the said Escheton, or Commissioner shall forfeit for every such Office or Inquisition so returned 100. l. to the party or parties grieved by any such Inquisition or Office. 1. H. 8. 8. 3. H. 8. 2.

Offices returned not found or not sealed by the Iurie.

5 If an Escheton, or any other, by vertue of any Commission doth sit to enquire of lands, tenements, or hereditaments, except he, or other to his use, hath lands, tenements, or hereditaments, of the yearly value of xl. marks, above all charges, he shall forfeit xx. l. (without he be an Escheton in a title or lawne copozat, or made

Not sufficient of frehold.

Escheto.

by some person having priuiledge thereunto, and except Eschetors of the Countie Palantine of Lancaster and Chester) for any person being not sufficient of frehold may refuse to sit vpon the same commission, and vpon proces made against him out of the Erchequer shal be discharged vpon his oth for non-sufficiencie, without fine or sic. 1. H. 8. 8. 3. H. 8. 2.

Euery man
may gine evi-
dence vpon an
Office.

The Eschetor
shal receiue an
office, & deliuer
the Counter-
paine.

6 If any Eschetor or Commissioner will denie any person to gine evidence openly in his presence, to such Enquests as shal be taken before him for the finding of an Office, he shall forfeit xl. l. 1. H. 8. 8. 3. H. 8. 2.

7 If any Eschetor or Commissioner, or part of the Commissioners (after an Enquest before him sworne to inquire of Lands, &c. be readie to giue their verdict, and offer to present the same) doe not receiue the same verdict without further delay, and also do not deliuer the Counterpaine of the Office or Inquisition by the Iurie found indented and sealed by himself, to the same Iurie, to the intent it may be deliuered, and rest in the possession of the first person of the sayd Iurie, the Eschetor or Commissioner which so offendeth, shall forfeit 100. l. to the partie grieved, to be recovered by A. of Debt. And euery of the Iuroys sworne which will not receiue the Counterpaine of the said Office indented and sealed by the Eschetor or Commissioner, or shall not suffer the same to rest in the possession of the first man of the Iurie, shall forfeit xx. l. to the R. and J. to be recovered by A. of debt, wherein no W. C. P. &c. 1. H. 8. 8. 3. H. 8. 2.

How long one
shal be Esche-
tor.

8 If an Eschetor do exercise his office by reason of one patent ouer one whole yeare, or be made Eschetor within thre yeares after, then after the said yece ended, his patent shall be void, except he be Eschetor by patent or graunt in any Citie or Towne or port, or in the Duchie of Lancaster or Cornewall, or in any Countie Palantine, or made by any person having authoritie by any priuiledge, prescripti- on, or grant to make Eschetors. 1. H. 8. 8. 3. H. 8. 2. 14. Ed. 3. 8.

Within what
time, & where
an Eschetor
shall take his
Enquest.
Eschetors sh.

9 If any Eschetor doth not take his enquest of Office by vertue of a Diem clausit extremum, or any other Writ, within the moneth next after the deliuerie of the said writ vnto him (or if he do not take such enquests in good Townes and open places. 3. H. 8. 2.) or if he doe take priuily or openly, by himselfe or any other, aboue the summe of xl. s. for the execution of any writ in one Countie, he shall forfeit for euery offence xl. l. 23. Hen. 6. 17. S. 34. Ed. 3. 13. 36. Ed. 3. 13. That if the Eschetor do not take his Enquests in good Townes openly, and by honest men of good fame, and having sufficient in the same Countie, and by Indenture betwixt the Eschetor and the Iuroys, the same Enquests shall be void, and the Eschetor shall be two yeares imprisoned, and punished at the Kings pleasure. But for the penalties Quere.

Quere.

Within what
time an office
shall be re-
turned.

10 If any eschetor or Commissioner doth take any office before him, and doth not retorne the same into the Chancerie, or Erchequer, within a moneth after the taking thereof, he shal forfeit xl. l. and also pay to the King so much as he is indamaged by not returning thereof. 8. H. 6. 16. 18. H. 6. 7. But if the Clerke of the pettit bagge of the Chancerie, or his Deputie, or any other Officer there having authoritie to receiue any such Office or Inquisition, to whose hands any such Office shall come, will not receiue the same, & put it on the files, to remain of record within thre dayes after it be received, or offered to him, the Clerke shall forfeit for euery default xl. l. and the eschetor or Commissioners shalbe discharged of the foresaid forfeiture of xl. l. 1. H. 8. 8. 3. H. 8. 2. S. Office 5.

Enquest re-
turned by the
Sheriffe.

11 If any eschetor or Commissioner doth take any enquest of inquirie of any other persons, but of such as be returned and impanelled by the Sheriffe of the Countie where he is eschetor or Commissioner, he shall forfeit xl. l. 8. H. 6. 16. 18. H. 6. 7.

Eschetors
Deputie.

12 No eschetor shall sell or let to ferme his office, nor shall make any deputie, but

but such for whom he will answer at his perill. And the Eschetoꝝ shall certifie the name of his Deputie or Deputies vnder his letters patents to the Treasor and Barons of the Exchequer, within twentie dayes after deputation made. And no Deputie shall take vpon him to occupie the sayd office, except the Eschetoꝝ hath Lands, tenements, or rents, to the value of xx. l. vpon paines of forfeiture for euerie offence x. l. to the R. and Informer, to be recovered by A. of Debt, wherin no W. C. p. 4. c. 12. E. 4. 9. S. Iust. of Peace 87.

13 Euerie Eschetoꝝ hath authoritie to inquire by the othes of twelue lawfull men, of euerie offence done contrarie to the statute provided 7. Ed. 6. to auoyd the great prices and excess of wines. And euerie inquire & presentment taken by the othes of xij. men, shall be of such force, as if it were taken in the Kings Bench. 7. Ed. 6. 5. S. Wines.

1 Affise lyeth against an Eschetoꝝ, which by colour of his office disseiseth any man. S. Affise 4.

2 An Eschetoꝝ shall haue no Fee, nor commit wast in the lands of Wards. See Wards 23.

3 Eschetoꝝ may enquire of counterfeiters of Weights, and punish them. See Weights 13.

4 For the Eschetoꝝs dutie concerning finding of Offices &c. S. Offices.

5 What Iurors shall be returned before Eschetoꝝs or Commissioners. See Iurors 13.

6 Who shall be Eschetoꝝs in the xij. Shires in Wales, Who shall name them, their office, dutie, &c. S. Wales 51.

7 A Patent of lands seized vpon an Enquest taken before an Eschetoꝝ. See Patents 7.

Essoines.

In Counties, Hundreds, Court Barons, or in other Courts, none shall need to be sworn to warrant his Essoine. Marlb. 52. H. 3. 19.

2 Two Coparceners, or two that hold in Common, shall not haue Essoine but at one day, no more than one sole Tenant should haue, so that they shal not fourch, but onely shall haue one Essoine. Westm. 1. 3. Ed. 1. 42. And in like case it shall be where a man and his wife be impleaded in the Kings Court. Gloucester 6. Ed. 1. 10.

3 After the Tenant in an Affise, Attaint, or Iuris verum, hath once appeared in the Court, hee shall be no more Essoined, but shall make his Attourney to sue for him if he will, and if not, the Affise or Iuris shalbe taken throught his default. West. 1. 3. Ed. 1. 41. And the same Law shall be obserued of the Demaundants in writs of Affise. West. 2. 13. Ed. 1. 28.

4 After a man hath put himselfe vpon any Enquest, which hath, or must passe in such manner of writs, viz. Dower vnde nihil habet, Affise of Darrein presentment, Quare impedit, and other writs where Attachments do lie, (Marlb. 52. H. 3. 12.) he shall haue but one Essoine, or one default: So that if he come not at the day given by the Essoine, or make default the second day, then the Enquest shall be taken by his default, and according to the same Enquest they shall proceed in Judgement. And if such Enquest shall be taken in the Countie before the Shireffe or Coroners, it shall be returned to the kings Iustices at a certaine day: and if the party defendand come not at that day, then vpon his default another day shall be assigned vnto him by the Iustices discretion. And the Shireffe shall be commanded that he cause him to come to heare the Judgement if he will according to the Enquests, at which day if he come not, vpon his default they shall proceed to Judgement. In like

no Essoine by othe.

fourcher by Essoine.

After appearance no Essoine.

But one Essoine after the day assigned.

Essoines.

manner it shall be done, if he come not at the day given unto him by his Essoyne. Marlb. 5.2.H. 3. 13. After any hath put himselfe to an enquest, an Essoine shall be allowed unto him at the next day: But at other daies following, the taking of the enquest shall not be delayed by essoin, whether were he essoined before or not. Neither shall any essoine be allowed after day given by Prece partium, in case where the parties consent to come without essoine. West. 2. 13. Ed. 1. 27.

Essoins ultra
mare.

5 Essoine of Ultra mare shall not be allowed, if the Demandant doe challenge it, and be ready to averre that he was in England the day that the Summons was made, and three weekes after, but it shall be adjourned in this forme, that if the Demandant be ready at a certaine day by the advisement of the Countie, or otherwise, as the Kings Court will award, to prove that the tenant was within the four score dayes the day that he was summoned, and three weekes after, so that he might be reasonably warned by the summons, the Essoine shall be turned into a default, and this is onely to be understood before Justices. West. 1. 3. Ed. 1. 43.

Essoine de
Malo lecti.

6 In the Circuit of the Justices an essoyne de Malo lecti shall not be allowed for lands in the same Countie, unless he that caused himselfe to be essoined be sicke in deed: For if the Demandant do alledge that the Tenant is not sicke, nor in such state but that he may come before the Justices, his challenge shall be admitted, and if it can be so proved by enquest, his essoine shall be turned into a default. And from henceforth such essoine shall not lie in a writ of Right between two claiming by one descent. Westm. 2. 13. Ed. 1. 17.

Essoine del
service le roy.

7 If the Defendant doe cause himselfe to be essoined of the Kings service, and doe not bring in his warrant at his day which is given him by his Essoine, he shall render damages to the plaintife for his iourney xx. s. or more, according to the Justices discretion, and shall be amerced to the King. Glouc. 6. Ed. 1. 8. Essoins of the Kings service doth not lie in a writ of Nouel disseisin, in a writ of Dower vnde nihil habet, in a writ of Darrein presentment, nor in Appelle of the death of a man. Stat. de visu terræ & esson de servitio domini Regis.

No Essoine
for the appea-
les.

8 In Appelle of the death of a man there shall no essoynes lye for the Appelle: For any cause, in whatsoeuer Court the appeale shall happen to be determined. W. 2. 13. Ed. 1. 12.

In what ca-
ses Essoines
doe not lie.

9 Here is declared how many wayes essoynes may be challenged, and in what cases essoines do not lie. An essoine lieth not, where the land is taken into the kings hands: For where the partie is distrained by his lands: For where any iudgement is given thereupon, if the Jurors do come: For where the partie was seen in court: Essoine de ultra mare lieth not where the party another time was essoined de malo veniendi: It lieth not where the party hath essoined himselfe another day: For where the Sherife was commanded to cause the party to appeare: essoine de Servitio Regis lieth not where the party is a woman: It lieth not in a writ of Dower, where it seemeth to be but a delay of right: It lieth not for that the plaintif hath not found pledges of suit: It lieth not where the Attourney was essoined: For where the party hath an Attourney in his suit: For where the Essoine confesseth that he is not in the kings service: For where the Summons is not returned, or the party not attached, for that the Sherife hath returned Non est inuentus: For where the party another time was essoined de servitio Regis, viz. such a day, and now he hath not put in his warrant: For where he was ressumoned in assise of Mortdauncester, or Darrein presentment: For because such a one is not named in the writ: For where the Shrieffe had a precept to distraine the party to come by his lands & goods: For where the bishop was commanded to cause the party to appeare: It lieth not for that the Terme is past. And it is to be noted, that Essoins de Servitio Regis are allowed after the Grand Cape, petit Cape, and after distresses taken upon the lands and goods. Stat. de Essonij, Anno 13. Ed. 2.

Estr. cars.

Estreats.

If any Sheriffe or Minister of his, having received the greene waxe to leuie the Kings debts, do not shew to the partie indebted the Estreats sealed, and totte the same which is payed, but that the debt which in that sort is once payed, is another time demanded of the partie, the sayd Sheriffe &c. shall pay to the party grieved his treble damages, and make fine to the King. 42. Ed. 3. 9. S. Accomptants to the King 52. Iustices of peace 38.

Estreats shall be shewed to the partie, and totted.

2 The Judge (before whom any Issues or Amerciaments be forfeited) shall charge the Clerke of the Court upon his othe, that he make the rols of the estreats of such issues and amerciaments distinctly by expresse word of the cause of the losse, of the Term of the years, the nature of the Writ, and betwixt what parties such issues &c. be lost. 7. H. 4. 3.

Rolls of Estreats shall be made certaine.

3 If any man or towne be charged in the Exchequer by the Estreats of the Iustices for Cattel of fugitiues and Felons, and he will alledge in discharge of himselfe another that is chargeable, he shall be heard, and right shall be done. 31. E. 3. 3.

1 That Sherifes shall make no Estreats vntill two Iustices haue had the view of them, which Estreats shall be indented, and the Iustices shall haue one part. S. Shrifis 14. 18. 20.

2 To euerie Estreat of issues against a Iuror, his addition shall be put. S. Iur. 34.

Exchequer.

A Clerke of the Remembrance of the Exchequer shall be assigned to sit together with the Clerke of the Pipe, to see discharges made in the Pipe, & to enroll them in the remembrance, to cease all pprocesses thereupon made. And the summons of the Pipe shall be withozation, according as the parties by pprocesses be discharged. And if there be any willing default made, the treasurer shall punish it. 37. Edw. 3. 4.

Clerke of the Remembrance.

2 At what time any debt is once payed, and the Tallies made thereof be torneyed, and allowed in the Exchequer, that Debt shall neuer be demanded againe. And if it so chaunce, that after such allowance made there, any Clerke of the Exchequer make any Writ or Proces, to pprove that a debt of new which hath been payed, & that be ouely pproved, the same Clerke shall lose his Office, and be Imprisoned, vntill he hath satisfied the partie so much, as by the discretion of the Treasurer and Barons he is endamaged. 1. R. 2. 5.

Proces for debt pmb.

3 The Barons of the Exchequer shall haue authoritie to heare euery answer to any demand made in the Exchequer: so that each person which is impeached there for any cause, shall be receiued by himselfe, or by any other person, to plead, sue, and haue his reasonable discharge in this behalfe, without attendance or suing forth any writ or other commandement. 5. R. 2. 5.

Spēdy pleading.

4 The covenants of those Lords, or others, which shall be retained to serue the King in his warres, or Embassies, shall be committed to writing, and set into the Exchequer, there to remaine of Record: So that at what time any person in such sort retained, his heirs, executors, occupiers of his goods, or lands, come to account, they shall be thereunto receiued, and haue due allowances according to the purport of their covenant: And what is due to them by the same account, the Treasurer and Chamberlaines shall make payment of, without tarrying, or suing other warrant of the great or priue Seale. And if there be any covenant or repeale of the said retainer, the Barons shall doe that which is right. 5. R. 2. 10.

Covenants for the kings seruer.

5 The accounts in the Exchequer shall be more briedly heard, made, & ingrossed than account.

Parcells of than account.

Exchequer.

Parcels of account. than they were wont to be : Saving that the parcels of the same account shall be made as fully as they were in times past, and that by an Ordinance made by the **Clerkes of the parcels.** Barons to endure of Record for ever. Two Clerkes shall be assigned to make parcels of accounts in the Exchequer, who shall be sworn to doe no falshood in their office, and shall take reason for their labour, according to the order of the Barons. 5. R. 2. 1. 12.

Nihil. 6 The accounts of Nihil in the Exchequer shall be wholly put out : And if any such accounts ought there to remaine, the accountants immediately after their othe taken in the sayd Exchequer, shall be examined by the Barons there, if they should or ought to answer the King of any thing. And if it appeare by their othe that they doe not, then by the same othe they shall be discharged to yield other account before any Auditor, alwayes saving the Kings right. 5. R. 2. 13.

Entring of discharges. 7 The Clerke of the Pipe, and the Remembrancers of the Exchequer shall be sworn, that from terme to terme they shall see (whiles the said Exchequer shall be open) all the writs of the great or priuie seale, which shall be sent to the said Exchequer the same Terme, for the finall discharge of any person of the Realme of any demand due in the sayd Exchequer: And that euery of them to whom it appertaineth, shall doe execution of the said commandement : And the said two Remembrancers shall be sworn, that euery Terme they shall make a Schedule of all the persons that shall be discharged in their offices, by Judgement, or in other manner in the same Terme, of any demands in the sayd Exchequer, containing the manner of the same discharges, and to deliuer the same Schedules to the sayd Clerke of the Pipe the same Terme, to the intent, that the said Clerke of the Pipe may thereof discharge the said parties in the great Roll. And the said Clerke of the Pipe shall be sworn, that from Terme to Terme he shall demand the said Schedules, and that he hauing receiued them, shall discharge the parties in manner aforesayd. And in the same manner the said Clerke of the Pipe for his part shall cause to be certified in writing to the sayd Remembrancers all such discharges which shall be made in his Office, to the intent, that a man discharged in one place may be discharged in all other places of the said Exchequer. 5. R. 2. 14.

Bands with penalties. 8 There shall be no Recognizances or Bands of the Double in the Exchequer for the Kings Debt. Provided, that the King shall haue sufficient suretie for his debt, as heretofore hath bene accustomed. 13. R. 2. 14.

Nothing shall be take of him which payeth Tenth. 9 If any Officer of the Exchequer doe take of any Archbishop, Bishop, or other person, hauing charge with the collection and payment of the Tenth of spirituall promotions, any reward for making his account, or Quietus est, in the same Exchequer, or for any thing pertaining to the same concerning the Tenth, he shall forfeit his office, and make fine at the Kings pleasure. 26. H. 8. 3.

Issues forfeited remitted. 10 All manner of Issues lost and forfeited, or hereafter to be lost or forfeited, which by the true intent of the late Quene Elizabeths Priuie Seale, and the Orders hereunto annexed, ought to be remitted and discharged against her sayd Majesty, be and for ever hereafter shall be accordingly by vertue of this Act clerely acquitted and discharged against the Kings Majesty, his Heires, and Successors. 1. Jac. 26.

Whomeauer contrary to the Orders. 11 If the Lord Treasurers Remembrancer for the time being, or any of his Clerkes shall award any proces, exact any pleading, or take any fees, or other wise in any point demeane him or themselves, contrary to the true meaning of any of the said Orders: Then for euery such offence which the said Lord Treasurers Remembrancer, or his Deputie, or any of his or their Clerkes shall commit, the person so offending, or in case the partie so offending, be unable to satisfie, the sayd Lord Treasurers Remembrancer himselfe shall forfeit xx. l. whereof the one moiety to the Kings Majesty, his Heires, and Successors, and the other moiety to the partie grieved, to be sued for

for within two yeares of the offence committed, by Action of Debt, B. p. 02 A. in any of the R. Courts of Record at Westm. wherein no C. p. 02 B. shall be allowed. 1. Jac. 26.

12 The orders set downe for respect of Homage, by the L. Treasurer, Chancellor and Treasurer of the Exchequer, & the Barons of the same Court, made 15. Iunij, Anno Dom. 1573. and in the sixteenth yeare of the Reigne of Quene Elizabeth, according to her Maiesties Seale to the said Treasurer and Barons in that behalf directed, and witnessed under their hands, as followeth.

Orders for respect of homage.

13 First, that no Procees, Ad faciendum homagium & fidelitatem, 02 Ad faciendum fidelitatem, nor any writ of Scire facias, Capias, 02 Distresse from the fines created out of the Court of Common Pleas, shall goe out of the Treasurers Remembrancers Office upon any Supposall, upon payne by former Lawes and statutes limited, and by the Orders of the said Court in that case provided, but upon a good and iust ground, and the same shall be vouched in euerie of the sayd Proceesses, according to the booke, terme, years, roll, and record thereof, that it may be certainly found. And yet if by any knowne Record remayning in that office, it may appeare the same tenure haue been trauesed, then the said Proceesses to be discharged by the sayd Trauerse without pleading.

Fines created out of the common place

14 Upon the Treat of the Original of the Chauncerie, of the first graunts of any lands 02 tenements holden in chiefe, 02 by knights seruike, 02 Socage in chiefe, 02 of any Licence of Alienation, pardon of alienation, Ouster le maine, generall 02 speciall Linerie, 02 inrolment of any of them, procees shall be made onely for the seruice due thereupon, and the parties upon the same, shall be admitted without pleading, as if hath bene accustomed to make their fine for respect of homage, 02 to doe the fealties forthwith, whensoever they will appeare, and pay to be receiued for the same, paying the charges of the said fine, as hereafter is appointed.

Procees upon the Treat of the Original.

15 Where the first Tenant in any such Writ from the said Original, 02 such Inrolment is returned by the Shireffe Mort, 02 Nihil habet, then shall goe out according to the auncient course of the same Court, a Distring. tenent. against the tenants of the same Lands to the Shireffe, to doe the seruice due to the King, and to shew their entrie into the same, who returning the name of the tenant of the lands in the Writ, there shall goe Proceesse then euerie Terme against the sayd new Tenants, to doe their sayd seruice, and also to shew their entrie, and they to lose issues thereupon, until they come in, and make their fine for respect of homage, 02 fealties, 02 doe the fealties upon the same, according to the auncient course of the Exchequer.

The first tenant returned Mort, 02 Nihil habet.

16 To auoid the charges of pleading, upon shewing of any mans entrie, it shall be lawfull for euery person, that by force of any Licence of Alienation doth come to any Lands 02 Tenements holden in chiefe, assured to him in fee simple, fee taile generall, 02 speciall, 02 for Terme of yere, by any maner of conveyance in Law, from the parties in the first Original, 02 Inrolment of the same, to bring the same licence and conueiance to the said Treasurers Remembrancer, and thereupon the said Barons of the Exchequer, 02 the said Treasurers Remembrancer finding the said Licence 02 Alienation to be good, and agreeable to the assurance thereupon made, and likewise agreeable to and from the said Original, and from and with all the Writters of the same, the parties to whom such Licence of Alienation is made, shall be receiued to inroll the said Licence onely, and to make his fine thereupon for respect of Homage, without any further pleading, 02 other shewing of his Title for the same. And likewise, whosoever shall enter into Lands by Linerie generall, Speciall, 02 Ouster le maine, bringing the same and the Schedule of his Linerie with him, he shall be receiued to like Inrolment, and making of his fine without any pleading.

It means to auoid the charges of pleading.

Exchequer.

Lands assured by fine.

17 Likewise, who so that hath a Licence of alienation of Lands and tenements holden in chiefe, which thereby are assured to him by fine, the same person may also bring in his said Licence, and assurance thereupon to be examined, as before in the fourth article is mentioned. And the same agreeing together, and also agreeing hitherto and with the originall, and from and with the Vouchers of the same, then the party to be discharged without pleading.

Writ of reversion.

18 Where any Writ of Reversion shall be made upon any Record, for Lands or Tenements, wherein the Prince is in Reversion, if it do appeare by any sufficient matter of Record within the Court, that the Grant or Record whereupon the said Writ of Reversion is made, is clearly avoided, or determined: in such case the partie upon shewing forth of such Record, shall be discharged without pleading.

Two Writs of one name in one Countie.

19 Where there be two Writs, or more, or other Lands and Tenements of one name in one county, and the one holden of the Prince in Chiefe, or by Knights service, and the other not: in such cases where the matter shall so appeare of Record, the partie that hath the Writs, or Lands, so not holden, shall be discharged of the Writs without pleading, and the Issues thereupon lost to be saved.

Issues lost discharged.

20 The Issues lost by her Majesties Subjects, which she of her favour hath appointed by her privie Seale to be discharged, be as followeth, viz. All Issues lost and to be lost upon any that are or shall be returned Tenants of Lands which they have not, shall be now discharged, though they have other Lands within the Shire, that could not so have bene, before the said privie Seale was graunted. All Issues lost, or to be lost, upon any Heire, or Ward, being within age, or in custodie, or committed to any, shall be now as before discharged, that were wont to remaine, while the heire come to full age. All Issues lost, or to be lost upon the Committees of any Wards lands by Lease, as returned Tenant thereof, shall be now discharged, that otherwise should have bene payed by the said Committees, if they had any Lands or Tenements, Goods, or Chattels, within the said Countie. All Issues lost, or to be lost upon any Lands in the Qu. hands, by extent, or otherwise, shall be now discharged, that otherwise could not have bene by the course of the Court. All Issues lost, or to be lost upon the Farmers and Tenants of any Lands, for life, yeares, or at will shall be now discharged, that were wont to pay them, being returned Tenants thereof by the Sherrifes, if they had any Lands or Goods within the Shire. All Issues lost, or to be lost upon Tenants of Lands in Chiefe by extent, shall be now as afore discharged, and could not so have bene before, but were alwaies leviable upon the Lands. All Issues lost, or to be lost by sundrie other variations, as well by untrue Returns and Mis. returns of Sherrifes and Under-Sherrifes, shall or may be discharged or moderated, or otherwise ordered, as the Court shall thinke meet, that were infinite before, and could not be discharged, But the partie was given to take his remedie against the Sherrife. All Issues lost, or to be lost upon any former Grant of Lands and Tenements in Chiefe, that are afterward given not be holden in Chiefe, shall be now discharged by this privie Seale, and could no loay have bin remitted, untill the second Grant had bene layed and pleaded. All Issues lost, or to be lost by any person returned in any Iurie in the Exchequer, or in any Attaint or Iurie in the B. Bench or Common Place at Westminster, or in any Iurie before the Justices of Assise in any Court within this Realme, which at the time of their apparance appointed, were beyond the Sea in her Majesties Service, or by speciall licence in writing, or were or shall be in Prison, or in Prisonarie of her Majesties Chamber, or Household, and bound to their personal attendance there, shall be now discharged cleare, that before could by no meanes be holpen.

Rata

Rata finium pro homag. tenent. Dñæ Regine
per vnum annum integrum respectuand. cum feod. Re-
memorat. Thesaur. & pro intrac. finium, cum Record. inde fact. ac
pro feod. Attorn. pro eodem anno integro, exhib. Parl.

| Voluntar.
fin. | Fines Re-
gina. | Feod. Rem.
Thes. | Pro intrac.
fin. | Pro feod.
attorn. |
|--|--|---|---|---|
| Li. Li. s. d. d.
A C. ad lx. x. xxx. iiij. | By some xl.
By some xxx.
By some
By some vol-
luntarie An-
nuities for
all matters | Li. Li. s. d. d.
A lx. ad xxx. marc. dim. xxx. iiij. | Li. Li. s. d. d.
A xxx. ad xxx. v. xxx. iiij. | Li. Li. s. d. d.
A xxx. ad xv. xl. xxx. iiij. |
| Li. Li. s. d. d.
A xv. ad x. ij. xxx. iiij. | | Li. marc. s. d. d.
A x. ad x. xxx. xxx. iiij. | Li. Li. s. d. d.
A x. ad C. xij. xij. iiij. | Li. Li. s. d. d.
A C. ad lx. viij. viij. iiij. |
| Li. Li. s. d. d.
A lx. & infra. iiij. iiij. iiij. | | Li. Li. s. d. d.
A C. ad lx. viij. viij. iiij. | Li. Li. s. d. d.
A C. ad lx. viij. viij. iiij. | Li. Li. s. d. d.
A C. ad lx. viij. viij. iiij. |
| Li. Li. s. d. d.
A C. ad lx. viij. viij. iiij. | | Li. Li. s. d. d.
A C. ad lx. viij. viij. iiij. | Li. Li. s. d. d.
A C. ad lx. viij. viij. iiij. | Li. Li. s. d. d.
A C. ad lx. viij. viij. iiij. |

These neuer loose issues, but
haue their fines paied, whe-
ther they come, or come not.

Item that the sayd fines shall be payd after the sayd rate exhibited to the Parlia-
ment house, and not other wise. According to the said Treasurers Remembrancers
owne offer, for himselfe and the Clerks of his office, It is ordained, that he himselfe
shall pay enerie subiects charges, as by the Court of Exchequer shall be set and or-
dayned, that shall be vered by any writ vpon a Supposall, and not vpon good & iust
ground vouched and set downe in enery writ, as before is declared. The Clerkes of
the said Treasurers Remembrancers office, shall pay all issues, that any of her Ma-
iesties shall lose, after he hath paid his ordinarie fine for respect of homage to any
of the, for any lands or tenements, & so may be proued by any of their acquaintances.
W. Burleigh, W. Mildmay, Ed. Saunders. George Freuile, John Birche. Ex. per
G. Gerrard, Thomas Bromely. Ex. per John Osburne. xvij. Nouemb. 1601.

21 Provided alwaies neuertheles, and be it enacted by the authority aforesayd,
if in case it shall be thought fit, for the true knowledge and preferation of the tenures
appertaining to the Crowne, & so ordered in the open court of Exchequer, the proces
should issue out of the sayd Court against any, that in enery such case, the sayd trea-
surers Remembrancer, or any his Clerkes, may send out the said proces, without
incurring any the penalties of this Act: In which case no such Tenure appearing
19

Excommunication.

to the Court, the partie shall be clearly dismissed, without any waiver of pleading, or paying any fees at all. 1. Lac. 26.

1 For the authoritie of the Court of Excheq. S. Courts.

2 The manner of reforming erronious Iudgements given in the Excheq. S. Er-
rour 2. 3. 5.

3 Barons of the Exchequer shall doe right to all men without delay. S. Iustices
&c. 2.

4 Proceſs awarded out of the Exchequer, for the recovery of the Kings rights. S.
Sherifes 38.

5 S. Stat. de Scaccario made Añ 5. 1. H. 3. & Stat. de Rutland made Añ 10. E. 1.
in the statute at large.

Excommunication.

Returning &
returning of
the writ of
Excom. cap.

Everie writ of Excommunicatio capiendo, that shall be granted and awarded
out of the Chawncerie, against any person or persons within the Realme of
England, shall be made in the time of the Terme, and returnable before þe Quene,
her heires and successors in the Kings Bench, in the Terme next after the Telle of
the same writ. And the same writ shall be made to containe at the least xx. daies be-
fore the Telle and the returne thereof. And after the same writ shall be so made
and sealed, then the sayd writ shall be forthwith brought into the R. Bench, & there
in the presence of the Iustices shall be opened and delivered of Record to the Sher-
iffe, or other officer, to whom the serving and executing thereof shall appertaine,
or to his or their deputie or deputies. And if afterwards it shall or may appeare to
the Iustices of the same Court for the time being, that the same writ, so delivered
of Record, be not duly returned before them; at the day of the returne thereof, or
that any other default or negligence hath bene used or had in the not well serving
and executing of the sayd writ, Then the Iustices of the sayd Court, shall and may
assesse such americiament upon the sayd Sheriffe or other Officer, in whom such de-
fault shall appeare, as to the discretion of the said Ju. shall be thought meet and con-
venient; which americiament so assessed, shall be executed into the Excheq. as other
americiaments hath bene used. 5. Eliz. 2. 7.

what shall be
done with the
bodie of the
Excommuni-
cate.

2 The Sheriffe or other Officer to whom such writ of Excommunicat capiend
or other proceſs, by vertue of this Act shall be directed, shall not in any wise be com-
pelled to bring the body of such person or persons, as shall be named in the said writ
and proceſs into the R. Bench, at the day of the returne thereof, but shall onely re-
turne the sayd writ and proceſs thither, with declaration briefly how and in what
manner he hath served and executed the same, to the intent, that thereupon the sayd
Iustices may then further therein proceed, according to the tenor and effect of this
Act. 5. Eliz. 2. 7.

If the Sherif
returne Non
est inuentus.

3 And if the Sheriffe or other Officer to whom the Execution of the sayd writ
shall so appertaine, doe or shall returne, that the partie or parties named in the sayd
writ cannot be found within his Bailiwike: Then the Iustices of the R. Bench
for the time being, upon every such returne shall award one writ of Capias against
the said person or persons named in the sayd writ of Excom. cap. returnable in the
same court in the Terme time, two moneths at the least next after the Telle there-
of, with a 30. proclamation to be contained within the sayd writ of Capias; that the
Sheriffe or other officer to whom the sayd writ shall be directed in the full Countie
Court, or else at the generall Asses and gaole deliverto be holden within the
said countie, or at a quarter sessions to be holden before the Just. of the peace with-
in the same Countie, shall make open 30. proclamation 7. daies at the least before the
returne; that the partie or parties named in the sayd writ, shall within five daies
next

next after such proclamation, yield his or their bodies to the gaole and prison of the said Sheriffe, or other such officer, there to remaine as a prisoner, according to the tenor and effect of the first writ of Excom. cap. upon paine of $\text{foz. l. of } \text{r. l.}$ And thereupon after such proclamation had, and the said 6. daies past and expired, then the said Sheriffe or other officer to whom such writ of Capias shall be directed, shall make returne of the same writ of Capias into the B. Bench, of all that he hath done in the execution thereof, and whether the partie named in the said writ hath yielded his bodie to prison, or not. And if upon the returne of the Sheriffe it shall appeare, that the party or parties named in the said writ of Capias, or any of them, haue not yielded their bodies to the gaole and prison of the said Sheriffe, or other officer, according to the effect of the same proclamation: Then every such person that so shall make default, shall for every such default forfeit to the Qu. her heires and successors r. l. which shall be likewise distrained by the said Just. into the Exchequer in such manner and forme, as fines and amercements there rated and assessed, are bled to be. And thereupon the Just. of the B. Bench shall also award forth one other writ of Capias against the said person, or persons, that so shall be returned to haue made default, with such like proclamation, as was contained in the first Capias, and a paine of r. l. to be mentioned in the said second writ and proclamation. And the Sheriffe or other Officer, to whom the said second writ of Capias shall be so directed, shall serue and execute the same second writ, in such like manner and forme, as before is expressed for the serving and executing of the said first writ of Capias. And if the Sheriffe or other Officer shall returne upon the said second Capias, that he hath made the proclamation, according to the tenor and effect of the same writ, and that the party hath not yielded his body to prison, according to the tenor of the said proclamation: Then the said partie that so shall make default, shall for such his contempt and default forfeit to the Qu. her heires and successors r. l. which summe of r. l. the Just. of the B. Bench for the time being, shall likewise cause to be distrained into the Exch. in manner and forme aforesaid. And then the said Just. shall likewise award forth one other writ of Capias against the said partie, with such like proclamation and paine of foz. l. as was contained in the said second writ of Capias. And the Sheriffe or other officer to whom the said third writ of Capias shall be so directed, shall serue & execute the said third writ of Capias in such like manner & forme, as before in this act is expressed and declared, for the serving and executing of the said first and second writs of Capias. And if the Sheriffe, or other Officer, to whom the execution of the said third writ shall appertaine, doe make returne of the said third writ of Capias, that the partie upon such proclamation hath not yielded his body to prison, according to the tenor thereof: Then every such partie for every such contempt and default, shall likewise forfeit to the Qu. her heires & successors other r. l. which summe of r. l. shall likewise be distrained into the Exchequer, in manner and forme aforesaid. And thereupon the said Justices of the B. Bench shall likewise award forth one writ of Capias against the said partie with like proclamation and like paine of $\text{foz. l. of } \text{r. l.}$ And also the said Justices shall haue authority infinitely to award such proces of Capias with such like proclamation and paine of $\text{foz. l. of } \text{r. l.}$ as is before limited, against the said partie that so shall make default in yielding of his bodie to the prison of the Sheriffe, untill such time, as by returne of some of the said writs before the said Justices, it shall and may appeare, that the said party hath yielded himselfe to the custodie of the said Sheriffe or other Officer, according to the tenor of the said proclamation. And the partie upon every default and contempt, by him made, against the proclamation of any of the said writs so infinitely to be awarded against him, shall incurre like paine of $\text{foz. l. of } \text{r. l.}$ which shall likewise be distrained in manner and forme aforesaid. 3. El. 23.

R. l. foz. l. for not appearing upon the first Capias.

2. Capias.

3. Capias.

Capias infinite.

¶ When any person or persons shall yield his or their bodie or bodies into the hands

Excommunication.

The offendor perding his bodie. hands of the Shirife, or other Officer, upon any of the said writs of Capias, then the same partie or parties that shall so yield themselves, shall remaine in the prison and custodie of the said Shirife, or other Officer, without bayle, baston, or mainprise, in such like maner and soyme to all intents and purposes, as he or they should or ought to haue done, if he or they had bene apprehended and taken upon the said writ of Excom. capiend. 5. El. 23. S. Returne of Shirifes 9.

The bishops authoritie. 5. Having and reseruing to all Archbishops and Bishops, and all others having authoritie to certifie any person excommunicated, like authoritie to accept and receive the submission and satisfaction of the said person so excommunicated, in maner and soyme heretofore used, and him to absolue and release, and the same to signifie, as heretofore it hath ben accustomed to the Quene, her heirs, and successors, into the Chancerie, and thereupon to haue such writs for the deliuerance of the said person so absolued and released, from the Shirifes custodie or prison, as heretofore they or any of them had, or of right ought or might haue had: any thing in this statute 5. El. 23.

Proces out of liberties, where the Qu. writ runneth not. 6. Provided alwaies, that in Wales, the Countie Palantines of Lancaster, Chester, Durham, and Ely, and in the Cinque Ports, being iurisdicions and places exempt, where the Qu. writ doth not runne, and proces of Capias from thence not returnable into the R. Bench, after any Significavit being of record in y^e Chancerie, the tenor of such Significavit by Mircimus, shall be sent to such of the head Officers of the said countie of Wales, Countie Palantines, & places exempt, within whose offices, charge, or iurisdiction the offendors shall be resident: that is to say, to the Chauncelour or Chamberlaine for the said Countie Palantine of Lancaster & Chester, And for the Cinque Ports to the R. Warden of the same, And for Wales, and Ely, and the Countie Palantine of Durham, to the chiefe Justice or Justices there. And thereupon, euery of the said Justices and officers to whom such tenour of Significavit with Mircimus shall be directed and deliuered, shall haue power and authoritie to make like proces to the inferiour officer and officers to whom the execution of proces there doth appertaine, returnable before the Justices there, at their next Session or Courts, two months at the least after the Telle of euery such proces: So alwaies, as in euery degree, they shall proceed in their Sessions and Courts against the offendors, as the Just. of the R. Bench are limited by the tenor of this Act, in Terme times to do and execute. 5. El. 23.

Certaine persons discharged of the penaltie. 7. Provided also, that any person, at the time of any proces of Capias afoze mentioned, atwarde, being in prison, about of this Realme in the parts beyond the Sea, or within age, or of Non sanz Memoriz, or woman couert, shall not incurre any of the paines or forfeitures afoze mentioned, which shall growe by any returne or default happening, during such time of nonage, imprisonment, being beyond the sea, or Non sanz Memoriz. And that by vertue of this statute, the partie grieved may plead euery such cause or matter in barre, of and upon the distresse, or other proces that shall be made for leuying of any of the said paines or forfeitures. 5. El. 23.

Addition. 8. And if the offendor against whom any such writ of Excom. cap. shall be atwarde, shall not in the same writ of Excom. cap. haue a sufficient and lawfull addition, according to the soyme of the stat. of An. 1. H. 5. in cases of certaine suites, whereupon proces of Crigent are to be atwarde: Or if in the Significavit it be not contained, that the Excommunication doth proceed upon some cause or contempt, or some original matter of heresie, or refusing to haue his or their child baptized, or to receive the holy Communion, as it is now commonly used to be received in the Church of England, or to come to diuine Seruice now commonly used in the said Church of England, or erro in matters of religion or doctrine now received and allowed in the said Church of Eng. Incontinencie, Wsurie, Symonie, Perurie in the Ecclesiasticall Court, or Idolatrie: that then all and euery paines

and

and soz limited against such persons excommunicate by this stat. by reason of such writ of Excom. cap. wanting sufficient addition, or of such Significavit, waiting all the causes afoze mentioned, shalbe utterly void in law, and by way of plea to be allowed to the partie grieved. 5. Eliz. 23.

Addition with a Nuper.

9 And if the Addition shalbe with a Nuper of the place: then in every such case at the awarding of the first Capias with Proclamation according to the forme afoze mentioned, one writ of Proclamation (without any paine expressed) shalbe awarded into the Countie where the offender shal be most commonly resident at the time of the awarding of the said first Capias, with paine in the same writ of Proclamation, to be returnable the day of the returne of the said first Capias with paine and proclamation thereupon, at some one such time and court, as is prescribed for the proclamation upon the said first Capias with paine. And if such proclamation be not made in the Countie where the offender shal be most commonly resident in such cases of additions of Nuper: then such offender shall sustaine no paine or soz. by vertue of the stat. for not yielding his or her body according to the tenor afoze mentioned: any thing before specified &c. notwithstanding. 5. Eliz. 23.

10 The Kings letter shal not be sent to the Ordinarie to absolute an excommunicate, but where the Kings libertie is prejudiced by the excommunication. Artic. Cler. 9. E. 2. 7.

11 A writ of Excommunicat. capiend. may be awarded to take a Clerke excommunicate for contumacie, after soztie daies, & to carrie him sozth of the parish where he dwelleth. Artic. Cler. 9. E. 2. 12.

1 Excommunication for smiting, or laying violēt hands in a church or churchyard. S. Fighting 3. 4.

2 Excommunication for disobeying the sentence of an Ecclesiasticall Iudge in causes of Tithes. S. Tithes. 35.

3 Excommunication in the plaintife or demandant in Attaint is a void plea. S. Attaint 3.

S. Recusants 5 2. 67. for Recusants excommunicated.

Exception.

When any that is impleaded before any Just. doth alleadge an exception, praying that the Just. will allow it, which if they will not allow, if he that alledged the exception, do write the same exception, and require that the J. will put to their othes for a witness, they shall so doe, and if one wil not, another of the company shal. And if the la. upon complaint made against the Just. cause the Just. to come before him, and the same exception be not found in the Roll, and the pl. shew the exception written under the seale of a J. the J. shalbe commanded to be ready at a certaine day, either to confesse, or denie his seale: And if the Just. cannot denie his seale, they shall proceed to judgement, according to the same exception, as it ought to be allowed or disallowed. W. 2. 13. Ed. 1. 30.

Execution.

When a debt is recovered or confessed in the R. Court, or damages awarded, it is in his election which doth pursue for such debt or damages, to sue a writ of Fieri fac. that is, that the Shyrie shal lewie so much of the lands & chattels of the debtor, or els an Elegit, viz. that the Shyrie shal deliver unto him all goods & chattels of the debtor (saving his oxen & beasts of his plough) and the one halfe of his lands, untill the debt be lewied upon a reasonable price and extent, and if he be put out of the same lands, he shal recover by Assise of No. diff. and after by a writ of Rediss. if need be. W. 2. 13. E. 1. 18.

Execution by Fieri facias, or Elegit.

Execution.

Execution of things recozded.

2 Where shall be no p^{ro}ces awarded by summons, attachment, effoine, vic^o of land, and other solemnities of those things which be recozded before the Chaunceloz or Iustices, and inrolled in the rolles, as is used in bargaines and covenants made out of the Court: But those things which be found inrolled before them, which have recoz^d, or contained in any fines, whether they be contracts, covenants, obligations, services, or customes knowledged, or any other thing inrolled, wherein the Kings Court without offence of law and custome, may execute their authoritie, be of that force, that it shall not be needfull to plead for them. But if the knowledge be new, or the fine lenied within a yeare, the plaintife shall have a writ of Execution. And if the cognisance or fine have bene of long time, a Scire facias shall be directed to the Sheriffe, to warne the partie against whom the complaint is made, to appeare before the Just. at a certaine day, and shew why execution should not be made of that which is inrolled or contained in the fine. And if he appeare not at that day, or doe appeare, and can shew nothing why execution should not be awarded, the Sheriffe shall be commaunded to execute the things inrolled or contained in the fine. And in like sort shall the W^odinaris be commaunded in his case tohere et. West. 2. 13. Ed. 1. 45.

A remedie for the Cognisance where lands delivered him in execution be recovered.

3 If any such lands, tenements, or hereditaments, as shall be had and delivered to any person in Execution upon a Judgement given for him of his debt or damages upon a Statute of Parliament, Statute of the Staple, or Recognisance to him before made or knowledged, or upon any lawfull title or cause wherewith the said lands et. were liable and bound, at such time as they were delivered and taken into execution, shall happen to be recovered, lawfully newsted, taken, or evicted, from the possession of any such person as shall have the same in execution, without any fraud or other default of the tenant by execution, before the said tenant, his executors, or assignes, shall have lenied or received the said whole debt and damages, for the which the said lands, et. were delivered and taken in execution: Then everie such Recoverer, Obligor, and Recogniser, shall and may have and pursue a writ of Scire facias out of the same Court from whence the said former writ of Execution did proceed, against such person or persons as the said writ of Execution was first pursued, their heires, executors, or assignes, of such lands, tenements, or hereditaments, as were or have bene then liable to the said Execution, returnable into the same Court at a certaine day, being full forty dayes after the date of the same writ: at which day if the def. (being lawfully warned) make default, or appeare, and doe not shew and plead a sufficient cause, other than the acceptance of the said lands, et. by the said former writ of Execution, to barre or discharge the said suit, for the residue of the said debt and damages remaining unsuied or unreceined by the said former Execution: Then the Lord Chancellor, or other such Justice or Iustices before whom such writ of Scire fac. shall be returnable, shall make effiones a new writ or writs out of the said former Reco^d of Judgement, Statute of Parliament, Statute of Staple, or Recognisance, of like nature and effect, as the said former writ of Execution was, for the leuying of the residue of all such debt and damages, as then shall appeare to be unlenied, unsatisfied, or unpaid, of the whole summe in the said former writ of Execution contained. 32. H. 8. 5.

A new execution against one privileged by Parliament.

4 If any person being arrested in Execution, and by privilege of either of the houses of Parliament, shall be set at libertie, the parties at or by whose suit such writ of Execution was pursued, his Executors or Administrators, after such time as the privilege of that Session of Parliament, in which such privilege shall be so granted, shall cease, may sue forth and execute a new writ or writs of Execution, in such maner and forme as by the law of this Realme he or they might have done, if no such former Execution had bene taken forth or served. And no Sheriffe, Bailiffe, or other Officer, from whose arrest or custodie any such person so arrested

in execution, that be distressed by any such privilege, shall be charged or chargeable with or by any action whatsoever, for delivering out of execution any such privileged person, so as is aforesaid, by such privilege of Parliament set at libertie: Any law, custom, or privilege, heretofore to the contrary notwithstanding: But this Act shall not extend to the diminishing of any punishment to be hereafter by censure in Parliament inflicted upon any person which hereafter shall make, or procure to be made any such writ, as is aforesaid. 1 Jac. 1. 3.

No charge shall be to him from whom the prisoner is delivered.

In what case execution shall be stayed by writ of Error.

So Execution shall be stayed, or delayed, upon, or by any writ of Error, or Superfedeas thereupon to be filed, for the reversing of any Judgement given, or to be given, in any action, or bill of debt, upon any single bond or debt, or upon any Obligation with condition for the payment of money only, or upon any action, or bill of debt for rent, or upon any contract sued in any of his Highnesses Courts of Record at Westminster, or in the counties Palatine of Chester, Lancaster, or Durham, or in his Highnesses Courts of great Sessions in any the twelve Shires of Wales: Unless such person or persons, in whose name or names such writ of Error shall be brought, with two sufficient sureties, such as the Court wherein such Judgement is, or shall be given, shall allow of, shall first before such day made, or Superfedeas to be awarded, be bound with the parties for whom any such Judgement is, or shall be given, by Recognisance to be acknowledged in the same Court, in double the summe adjudged to be recovered by the said former Judgement, to prosecute the said writ of Error, with effect: And also to satisfy and pay (if the said Judgement be affirmed) all and singular the debts, damages, and costs, advantages, or to be advantages upon the former Judgement: And all costs and damages to be also awarded for the same delaying of Execution. 3 Jac. 8. To endure until the end of the first Session of the next Parliament.

1 How much a Sherife or his Officers may take for serving of Execution. S. Sherifes 35.

Executors.

Executors shall have a writ of Account, and like Action and Process in the same writ, as their Testator should have had if he had lived. West. 2. 13. Ed. 1. 23. And Executors shall have an action of Trespass against the Trespassors, for a trespass done to their Testator, of the goods and cattels of the same Testator carried away in his life time, and shall recover their damages in such manner as he whose Executors they be, should have done if he had lived. 4 Ed. 3. 7.

A remede for Executors for things done in the life of the Testator.

2 Executors of Executors shall have an action of Account, of Debt, and of goods taken away of the first Testator, and execution of Statutes made by them, and Recognisances acknowledged in Court of Record to the first Testator, in the same manner as the first Testator should have had if he had lived. And the same Executors of Executors shall answer other men so much as they have recovered of the goods of the first Testator, as the first Executors should have done if they had lived. 25 Edw. 3. 5.

Executors of Executors.

3 Where part of the Executors named in any Testament of any person making any Will of any lands, tenements, or other hereditaments, to be sold by his Executors after the death of any such testator, do refuse to take upon him or them the administration and charge of the same testament, wherein they be so named to be Executors, and the residue do take upon them the charge of the same testament: then all bargains and sales of such lands, as so willed to be sold, by the Executors of any such Testator made by him or them only, of the said Executors, shall so doth take upon him or them any such cure or administration of any such Will, shall be good and effectual in the law, as if also the residue of the same Executors, named

Part of the Executors may sell the land devised to be sold.

Executors. Exemplification.

in the said testament had toyne with him or them in the making of the bargain and sale of such lands, tenements, or other hereditaments, so willed to be sold, by the Executors of any such Testator which shall make such Will. 21.H.8.4.

**Fourch by
Closine.**

**The executor
which first ap-
peareth shall
answer.**

**Servants
imbruing the
Testators
goods.**

4 In a writ of Debt brought against divers Executors, they shall not fourch by Closine before apparance nor after, so that they shall have but one Closine, as their Testator should have had. And the Executor or Executors, which do first appeare at the grand distresse returned, shall answer the plaintife, and if iudgement passe for the plaintife, the iudgement and execution shall be against them which have pleaded, and all the reasons named in the writ, of the goods of the Testator, as if they had all assented to plead. 9.Ed.3.3.

5 Executors shall have a writ out of the Chancery, by the aduice of the Chancellor, two chiefe Just. and the chiefe Baron of the Exchequer, with two proclamations returnable into the B. Bench, against such household servants of the Testator, as have spooled or cloined the goods of their master, after the death of the Testator. And if the writ be returned serued, and the defendants make default, they shall be attainted of felonie. And if they appeare, they shall be committed to prison, there to remaine at the discretion of the Just. untill the offenders do answer to the said executors in such actions which the said executors will declare against them, or any of them, by bill, or writ, for the riot, taking, & spoiling aforesaid, and that the same actions be determined, soe that such actions be pursued with effect, and not slackly, to detain the same persons in prison. And if the same persons be enlarged out of prison, by the said J. then they shall find sureties to the executors by recognisance, to keepe such dayes as they shall have assigned by the Court. And if the keeper of the prison whereunto they shall be committed, do let them go at large, without order of the Justices, then the said keeper shall forfeit 10 l. to the executors. No protection shall lye in any action vpon this statute. 33.H.6.1.

- 1 How Executors shall recover reues due in time of their Testator. S. Rens 1.
- 2 The fathers Executors be bound to satisfie the daughter of ayd received. S. Aid &c. 1.
- 3 Executors may maintaine a writ of Idempnitare nominis. S. Sherifes 23.
- 4 Ordinaries shall answer as Executors as farre as the goods will extend. S. Ordinarie 1.
- 5 The money or profit of lands willed to be sold, shall not be taken as any of the goods of the Testator. S. Probat &c. 8.
- 6 What Executors or others shal pay to the Ordinarie for the Probat of Testament. S. Probat 1.2.3.
- 7 Where the heire being charged shall have remedie against his auncestors Executors. S. Accompt to the K. 27.
- 8 Where the Executors of the K. or Q. of this Realme, and where the heire shal haue the specialties not paid &c. S. Accompt to the K. 2.
- 9 The K. may charge the heire or Executors of his debtor. S. Accompt to the King 6.

Exemplification.

**Exemplifica-
tion of the Q.
M. Patents.**

Euerie Patentee, his heires, successors, executors, and assignes, and every other person having by, from, or under his or their title, any estate or interest, of, in, or to lands, tenements, hereditaments, or other thing whatsoever, to such Patentee heretofore granted by any Letters Patents, by any R. or Q. of this Realme, at any time sitheence 4. Februarij An. 27.H.8. or hereafter to be granted by the Q. M. or his heires or successors, shall and may at all times in the Q. M. Courts, &c. and elsewhere, make and convey to and for himselfe, such claims or title by way of decla-

declaration, plaint, barre, answer, replication, or other pleading whatsoever, as well against the Qu. &c. and every other person for or concerning the lands, hereditaments, or other things contained in such Letters Patents, or for or concerning any part thereof, by shewing forth an Exemplification or Constat under the great Seale of England, of the inrolment of the same Letters Patents, or of so much thereof as may serve to, or for such title, claime, or matter (the same Letters Patents then remaining in force not lawfully surrendered or cancelled) for and concerning so much & such part of such lands &c. whereunto such title or claime shalbe made, as if the same Letters Patents were pleaded and shewed forth. 13. Eliz. 6. 3. Ed. 6. 4.

1. No Fines or Recoueries shall be amended after Exemplification thereof. S. Fines 18. 37.

2. Exemplification of Records in Wales. S. Wales 20.

Exigent and Outlawrie.

Such Procces shalbe made in a writ of Debt, and Detinue of cattels, and taking of beasts by writ of Capias, and by procces of Exigent by the Shyriues returne, as is used in a writ of Account. 15. E. 3. 17. No Exigent shal be awarded where a man is indicted of trespass (except it be against the peace) 18. E. 3. 5.

3. Where the plaintife doth recouer damages, and he against whom the damages be recovered is Outlawed at the R. suit, no charter of pardon shal be granted of his Outlawrie, except the Chancelor of England be certified that the plaintife is agreed withall for his damages. 5. E. 3. 12.

3. Where a man is outlawed by procces before he doth appeare, no charter of pardon shalbe granted, except the Chancelor be certified that he which is outlawed hath yielded himselfe to prison before the J. of the court from whence the Exigent was awarded, that is, if from the R. Bench, then he shal render himselfe to the same Court, if from the common pleas, then he shal render himselfe thither, and if from Just. assigned to heare and determine, sitting the same Justices he shal yield himselfe before them, and if they be risen, then he shal yield himselfe in the R. Bench before the Just. and the record and procces shalbe remoured before them by writ. And the Just. before whom they shal so yield themselves, shal cause the plaintife to be warned to be at a certaine day before them, at which day if the warning be duly witnessed or certified, and the plaintife doe appeare upon the same warning, then they shal plead upon the first original writ, as though no outlawrie had been pronounced, and if the plaintife come not, he that is outlawed shal be deliuered by vertue of his charter. 5. E. 3. 12.

4. If any man wil defeat an Outlawrie pronounced against him, by reason of imprisonment certified by the Shyrie or others which haue no record, hee shall yield himselfe to prison, and then the Just. of the R. Bench shal cause the partie to be warned, at whose suit that Outlawrie was pronounced, to bee before them at a certaine day, at which day if the partie wil auerre, that the certificat is untrue, his auerment shalbe received: And in like maner shal the Kings Seriant or Attorney or any other that wil sue for the R. be received to haue such auerment against such certificat, where the Outlawrie is pronounced at the R. suit. 5. E. 3. 13.

5. If, and where a writ of Exigent shal bee awarded at the suit of the R. or any other plaintife in any action personal against any person, called of any Shyre or City being a Shyre corporat of it selfe, or else late of any such Shyre or Citie, other then into such Shyre or Citie, whereinto such Exigent shal bee awarded, to be called according to the Law: and also in every writ of Exigent in any Action personal, whereof the procces or Exigent shal bee directed into London or Middlesex, the defendant being called late of London, or late of Middlesex, at the time of the Exigent

Exigent in trespass contra pacem.

No pardon of Outlawrie without agreement with the plaintife.

No pardon of Outlawrie before the parties both yield him selfe to prison.

Outlawrie defeated by imprisonment.

Declarations awarded into a shyre County.

Exigent and Outlawrie.

**Proclamati-
ons where the
party is dwell-
ing in a coun-
ty Palatine.**

**That Pro-
clamations,**

**The Procla-
mation shall be
delivered to
the Sherife of
record.**

**Outlawrie as
noted by A.
uerment.**

**A Proclama-
tion upon an
Exigent a-
gainst any
person dwell-
ing in Wales
or in Lancas-
hire, Cheshire
or Chester.**

gent awarded, not dwelling in London nor in Middlesex, or else that the said defen-
dant or defendants, in the same Exigent, dwell in any other shire or place, then
where the R. writ runneth: then the Just. before whom any such Exigent is to be a-
warded, in all actions where the Exigent shall not be directed into London or Mid-
dlesex, shall award a writ of Proclamation to be directed to the Sherife of the same
Countie, where it doth appeare by the biling of such action, that the party defendant
is, or lately was dwelling, if the R. writ there be currant, or else to the next shire
adjoining to the Countie or Counties, or other places wherof the partie is called,
or lately supposed by the said Exigent to have his being, wherethe R. writ so run-
neth not: and in every action wherof the Exigent shall be directed into London or
Middlesex, and the defendant in the same called late of London or Middlesex, and
at the time of the Exigent awarded not dwelling in London or Middlesex: Then
the writ of Proclamation shall be directed unto the Sherife of the shire where the
defendant at the time of the Exigent so awarded shall have his dwelling, or in case
where the R. writ runneth not, unto the next shire therunto adjoining, the which
said writ of Proclamation shall containe the effect of the same action, and the Sher-
ife of the Countie to whom any such writ of Proclamation shall be directed, shall
make three Proclamations within his Countie, at three severall dayes, viz. two in
the full shire Court of the same Countie, and the third at the generall Sessions in
those parts, where the partie defendant is supposed to be dwelling, or in the partes
of the Countie next adjoining to the Countie or Counties where the R. writ run-
neth not, that the partie defendant yield himselfe to the Sherife of the forein Coun-
tie, to whom any such Exigent in any action personall is awarded, so that the Sher-
ife of such foreine Countie, may upon his yielding, have his body before the Just.
before whom any such Exigent is awarded at the day of the same Exigent compris-
ed, there to answer to the plaintife in the same according to the law. And every such
writ of Proclamation shall have the same day of returne, as the writ of Exigent
upon such foreine actions so awarded shall have, & every such writ of Proclamation
shall be delivered of Record to the Sherife or deputie of the Countie into the which
any such writ of Proclamation is to be awarded, & the Sherife of the same Countie
shall duly execute the same, and thereof make true returne at the day of the same
writ appointed, upon paine to forfeit such amerceiament unto the R. and his heires,
as by the Just. before whom such Exigent shall be returnable, shall be set. And the of-
ficer in whose office such Exigent is taken, shall make out of the said writ and writs
of Proclamation as shall be awarded in any of the said Courts, and shall take no
more for the making of any such writ, and the entering of the same of record, but one-
by. And if any Outlawrie be had, or promulged against any person in any action
personall in any foreine Countie, and no writ of Proclamation (as is aforesaid) a-
warded and returned, then every such Outlawrie shall be utterly void. And all Out-
lawries had contrarie to this Act shall be avoided by Auerment, without suing of
any writ of Error. 6.H.8.4. S. Indictments 2.3.

6. Whensoever any writ of Exigent shall be awarded at the suit of the R. or a-
ny other person plaintife in any action or suit in the R. Bench, or Common pleas,
against any person dwelling in any of the twelve Counties in Wales, or in any
of the Counties Palatine of Lancaster, Chester, or the Citie of Chester, then im-
mediately upon the awarding of every such Exigent, the Justices before wh. in any
such Exigent shall be sued &c. have authoritie to award one writ of Proclamation,
according to the tenor and effect of Proclamations awarded upon Exigents di-
rected out of any of the sayd Courts into London, or into any other shires with-
in this Realme, against any other person dwelling in any other shire where the
Kings writ is currant, according to the order and forme of the foresaid Statute 6.
H.8. to be directed to such of the Sherifs of any of the foresaid Counties in Wales,
and

and of Lancaster, Chester, and of the citie of Chester, where it shall happen the said defendant against whom the said action shall be sued, to be dwelling (But of the writs directed to the Sherife of the Countie of Lancaster, none shall be directed to the Sherife of any other countie next adioyning, according to the foresaid Stat. of 6.H.8. 5.E.6.26.) And everie such writ of Proclamation shall have the same Teste, and day of returne, as the Exigents, whereupon everie such writ of Proclamation shall be awarded, shall have: & everie Sherife to whom any such writ of Proclamation shall be directed, shall make Proclamation of the said writ of Proclamation, according to the tenor of the same, and shall make true returne of the same in such Court, and before such Justices, as the tenor of the same writ shall require. And all Outlawries pronounced or promulged against any person upon any such Exigent awarded against any person dwelling in any of the said Counties, and no writ of Proclamation awarded in forme abovesaid to the Sherife of the Countie where the partie defendant shalbe dwelling, or not returned, shall bee void. 1.E.6.10. 5.E.6.26.

7 Everie Sherife of every of the said Counties of Wales, & the Counties Palantine of Lancaster, Chester, & of the city of Chester, shal have in every of 3 courts of the R. Bench, and Common pleas, one sufficient Deputy at the least, to receive all writs directed to such Sherife, for whom the same deputies or deputies shall be appointed, in like maner and forme, and upon like paines, as by the laws and Stat. of this Realme other Sherifes of other Shires, within this Realme of England be bound to have in either of the same Courts. And all writs of Proclamation shal be delivered unto every such deputy of Record, in the same Courts. And also like fees shall be paid for making every such writ of Proclamation, and for the inrolling of the same of record, as is before limited in the Stat. of 6.H.8. 1.E.6.10. 5.E.6.26. 23.H.6.10. S. Sherifes 10. Wales 49.

These Sherifes shall have deputies in the Common place and R. Bench.

8 If any such writ of Proclamation directed to any of the Sherifs of any of the said Shires in Wales, or Counties Palantine &c. be delivered to any of the said Sherifes, or to his deputy, and the same Sherife doe not make true returne thereof into such Court, out of the which the said writ of Proclamation shall be awarded, he shall for every default of non-returne to the R. and J. v. l. to be recovered by A. wherein no W. &c. P. &c. 1.E.6.10. 5.E.6.26.

The Sherifes for not returning a writ of Proclamation.

6 If any person dwelling in any of the said Counties in Wales, shalbe outlawed in any suit or action aforesaid, then writs of speciall Capias vclagatum, single Capias vclagatum, Non molestandum, & all other proces for and against any person outlawed, shall and may be directed to the Sherife of any of the said Counties in Wales, as immediat officers of the Courts of the R. Bench, or Common pleas in that behalf. And every such writs may be delivered of record to the deputy of such of the said Sherifes, to whom any such writ or proces shalbe directed. And everie such Sherife shall make execution & returne of every such writ or proces to him directed, upon paine of for. to the R. and his heires such amerciaments, as by the discretion of the J. before whom such writ shalbe returnable shalbe set. 1.E.6.10.

Proces as against persons outlawed.

10 If any person dwelling in the Countie Palantine of Lancaster, shalbe outlawed in any such suit or action, as is aforesaid, then all writs of speciall Capias vclagatum, single Capias vclagatum, Non molestandum, and all other proces for, or against any person so outlawed, shall and may be directed to the Chaunceloz of the Duchy of Lancaster, who shall make like writs and proces thereupon, and of like effect, sealed with the seal of the said Countie Palantine of Lancaster, to be directed to the Sherife of the said Countie Palantine for the time being, as it hath been used in such cases. 5.E.6.26.

Proces directed to the Chaunceloz of the Duchie.

11 But these two Statutes, nor any thing in them contained, shall extend or be prejudiciall to any Lord Barcher in Wales, nor to any of their heires, nor to the said

Exigent and Outlawrie.

said twelue Counties of Wales, noꝛ to the said Counties Palatine of Lancaster, Chester, oꝛ the Citie of Chester, concerning such Liberties, Franchises, oꝛ Priviledges, as belong to any of them, noꝛ to any Ministers oꝛ Officers of any of them, in other maner than by the true meaning of these Acts is declared. 1 E. 6. 10. 5. Ed. 6. 26.

**Exigent vpon
the Statute
of Liveries.**

12 No Exigent shall be awarded by the Justices within the Counties Palatine of Lancaster oꝛ Chester, oꝛ the Bishopricke of Durham, against any person, vpon any information, suit, oꝛ proces, to be made by force of the Statute provided 3. Ed. 4. against giving of Liveries oꝛ Badges, and retaining. And if any Exigent be awarded, and Outlawrie thereupon pronounced, then the same shall be void, without any suit by writ of Error, oꝛ otherwise. 8. Ed. 4. 2.

**Proclamation
in personall
actions.**

13 In euery action personall, wherein any writ of Exigent shall be awarded out of any Court, one writ of Proclamation shall be awarded and made out of the same Court, hauing day of Teste and returne, as the sayd writ of Exigent shall haue, directed and deliuered of record to the Sherife of the Countie, where the defendant, at the time of the Exigent so awarded, shalbe dwelling, which writ of Proclamation shall containe the effect of the same action. And the Sherife of the Countie vnto whom any such writ of Proclamation shall be directed, shall make three Proclamations in this forme following, and not otherwise: that is to say, one of the same Proclamations in the open Countie Court, one other of the same Proclamations, at the generall Quarter Sessions of the peace in those parts where the partie defendant at the time of the Exigent awarded shall be dwelling, and one oꝛ ther of the same Proclamations shall be made (one moneth at the least before the quint. exact. by vertue of the said writ of Exigent) at, oꝛ nere the most vsuall doore of the Church oꝛ Chappell of that Towne oꝛ Parish, where the defendant shall be dwelling at the time of the said Exigent so awarded: And if the defendant shall be dwelling out of any parish, then in such place as aforesaid, of the Parish in the same Countie, & next adioining to the place of the defendants dwelling, and vpon a Sunday immediatly after Divine Service and Sermon (if any Sermon there be) and if no Sermon there be, then forthwith after Divine Service. And all Outlawries had and pronounced, and no writ of Proclamation awarded and returned according to the forme of this Statute, shall be utterly void and of none effect. And the Officers in whose Office such writs of Exigent and Proclamation shall be made, shall and may take such fees, as by the Stat. made 6. H. 8. (S. 5.) is limited and appointed in that behalf, & no greater fees in any wise. And the Sherife for making of the Proclamation at oꝛ nere to the Church oꝛ Chappell doore, as is aforesaid, shall haue xx. s. 31. Eliz. 3.

**The defendant
vpon a writ of
Error, bound
to answer the
plaint: & and
to satisfie the
condemnation**

14 Before any allowance of any writ of Error, oꝛ reuersing of any Outlawrie be had, by plea oꝛ otherwise, though, oꝛ by want of any proclamation to be had and made, according to the forme of this Stat. The defendant & defendants in the originall action, shall put in baile, not onely to appeare and answer the plaintife in the former suit, in a new action to be commenced by the said plaintif, so: the cause mentioned in the first action, but also to satisfie the condemnation. If the plaintife shall begin his suit before the end of two termes next after the allowing of the writ of Error, oꝛ otherwise auoiding of the said Outlawrie. 31. El. 3.

**A writ of
Proclamation
vpon an Exi-
gent against
any person
dwelling in
the Bishopricke
of Durham.**

15 Whensoeuer any writ of Exigent shalbe awarded at the suit of the Qu. her heires oꝛ successoꝛs, Kings oꝛ Queenes of this Realme, oꝛ at the suit oꝛ suits of any other person oꝛ persons, plaintife oꝛ plaintifes, in any action oꝛ suit in any of the Courts of the Kings Bench, oꝛ Common place, against any person oꝛ persons, dwelling within the Bishopricke of Durham, Then immediatly vpon the awarding of euery such Exigent, the Justice oꝛ Justices before whom any such writ of Exigent vpon such suit oꝛ action shall be sued, shall haue authoritie by vertue of this

this Act, to award one writ of Proclamation, according to the tenor and effect of Writs of Proclamation awarded upon Exigents (and commonly directed out of any of the said Courts into London, or into any other Shires of this Realme, against any other person or persons, dwelling in other Shire or Shires of this realme, where the Queens writ doth run, according to the order and forme of the Act made 6.H.8.) to be directed to the Bishop of Durham for the time being, and during the vacation of the Bishopricke, then to the Chancelor of the said Bishopricke, or Countie Palantine for the time being, where it shall happen the said defendant, against whom any such action shalbe sued, as is aforesaid, to be dwelling, & not to the Sherife of any other Shire next adjoining to the said Bishopricke, or Countie Palantine (any law, custome, or usage, heretofore used to the contrary notwithstanding.) And every such writ of Proclamation so to be hereafter awarded, to such Bishop, or Chancelor of the said Bishopricke, or Countie Palantine, shal have the same Teste, and day of returne as the Exigents whereupon every such writ of Proclamation shal be awarded, shal have. And every such Bishop, or Chancelor, to whom any of the said writs of Proclamation shal be directed, shall by his or their Mandat, directed to the Sherife of the said Countie Palantine, cause Proclamation to be made of the same writs of Proclamation, according to the tenor of the same, & shall make true returnes of the same, in such Court and Courts, and before such Justices, as the tenor of the same writ and writs of Proclamation shall require and demand. And all Outlawries hereafter to be promulged, or pronounced against any person or persons upon any such Exigent, or Exigents, awarded against any person or persons dwelling within the said Bishopricke, or Countie Palantine, and no Writs of Proclamation awarded in forme aforesaid to the Bishop, or Chancelor aforesaid, where the partie defendant shall be, as is aforesaid, dwelling, or not returned as aforesaid, shall be clerely void, and of none effect nor force in the law. 31.El.9.

16 Every Bishop of the said Bishopricke for the time being, and during the vacation of the said Bishopricke, the Chancelor of the said Countie Palantine for the time being, shall have in every of the said Courts of the Kings Bench, & Common Pleas, one sufficient deputie at the least, to receive all such writs of Proclamations, which shalbe hereafter directed to every such Bishop or Chancelor of the said Bishopricke or Countie Palantine, for whom the same deputy or deputies shal be appointed, in like manner and forme, and upon like payns, as by the former statutes and lawes of this Realme, the Sherifes of other Shires or Counties, within this Realme of England, be bound to have in either of the same Courts. And all such writs of Proclamation as aforesaid shall be delivered unto every such deputie or deputies of Record in the same Courts, and either of them, and also the like fees shall be paid for making of every such writ of Proclamation, and for inrolling the same of Record, as is limited in the same Statute made 6.H.8. 31.El.9.S.5.

17 If any such writ or writs of Proclamation, directed to the Bishop or Chancelor of the said Bishopricke or Countie Palantine, be delivered unto any of the said Bishops for the time being, or (during the vacation of the said Bishopricke) to the Chancelor of the said Countie Palantine for the time being, or to his or their deputie or deputies in manner and forme aforesaid, and the same Bishop for the time being, or (during the vacation of the said Bishopricke) the said Chancelor of the said Countie Palantine for the time being, do not make true returne of every such writ and writs of Proclamation to them directed, into such Court and Courts, out of which the said writ or writs of Proclamation shalbe awarded: If or everie such default of non-returne, every such Bishop for the time being, and (during the vacation of the said sea) the said Chancelor for the time being, so failing to make due returne, shal forsooke to the Du. and F. to be recovered by A. as he shal be grounded

The bishop of Durham shall have a deputie in certain Courts.

The penalty if the Bishop or Chancelor do not returne the proclamation.

Exigent and Outlawrie. Extortion. Exaction.

Provision for the Bishops Liberties. grounded upon this Act, wherein no C. P. &c. 31. Eliz. 9.
 18 This Act shall not extend or be prejudicial to any Bishop of the said Bishopricke of Durham, for or concerning such Liberties, Franchises, or Priviledges as belong to the same Bishops Bishopricke, or Sea, or to any Ministers or Officers of the same Bishopricke or Countie Palatine, otherwise, or in any other manner than by the true meaning of this Act is before provided or declared: Any thing in this &c. notwithstanding. 31. Eliz. 9.

To whom writs of Outlawrie &c. shall be directed against any person within the Bishopricke. 19 If any person or persons dwelling within the said Bishopricke, or Countie Palatine, shall be outlawed in any suit or action, wherein Proses of Outlawrie doth lye, then all writs of speciall Capias vtlagatum, single Capias vtlagatum, Non molestandum, & all other Proses, for or against any person or persons so outlawed, shall and may from henceforth be directed from time to time, to the Bishop of the said Bishopricke and Countie Palatine for the time being, and (during the vacation of the said Sea) to the Chancelor there for the time being, who shall make like writs and proses thereupon, and of like effect, sealed with the seals of their said Offices, to be directed to the Sherife of the said Countie Palatine for the time being, as heretofore hath bene used and accustomed in such cases. 31. Eliz. 9.

One fee for the Proclamation and Mandat. 20 Upon any writ of Proclamation to be awarded by vertue of this Act, and the Mandat thereupon to be made to the Sherife, and the execution thereof, there shall be but one onely fee taken, received, or demanded for the same, by the said Bishop, Chancelor, and Sherife of the said Countie Palatine for the time being. 31. Eliz. 9.

1 No Exigent shall be awarded against the accessarie, vntill the principall be attained. S. Appeales 3.

2 Where an Exigent is to be awarded, there shall be addition to the defendants name. S. Addition 1.

3 Proses of Outlawrie awarded against offenders in Treason, being out of this Realme, shall be good. S. Treason 11.

4 Where one that is supposed to be outlawed, shall auoid the seisure of his lands and goods, by entering into bond to the Sherife &c. S. Sherifes 23.

5 The Indictor shall forfeit his cattels by Exigent against him awarded. S. Indictments 5.

6 Where an Exigent shall be awarded against an Accomprant. S. Accompr 2.

7 Outlawrie of the plaintife in Attaint in a personall action, or cause, is no plea. S. Attaint 3.

S. 18. Ed. 3. Declaration of Exigents.

Extortion. Exaction.

Officers. If any Sherife, Coroner, or other Officer of the Kings, doe take any thing to do his Office, but onely that which the King alloweth him, he shall render double to the partie, and shall be punished at the Kings pleasure. Westm. 1. 3. Ed. 1. 26.

Serjeant, Crier, Marshall. 2 If the Serjeant, Crier, or Marshal of any Justice do too longfully take money of any which doth recover land, obtaine his suit, leuie a fine, or prosecute any suit, touching any plea of the Crowne, he shall be punished at the Kings pleasure, and yeeld treble damages to the parties grieved. And if he be a Serjeant of fee, his Office shall be seised into the Kings hands. West. 1. 3. Ed. 1. 26.

Sherifes. 1 For Extortion by the Sherife, Bailife, &c. for arresting, for letting to baile, making of Panels, or granting of Copies. S. Sherifes 6. 7. 8. 9.

Inditors. 2 For Ex. by Auditors, or their Clerkes. S. Auditor &c. 2.

Receivers. 3 For Ex. by Receivers, or their Deputies. S. Auditor &c. 3.

- 4 For Ex. by them which make dispensations, faculties, licences, or other such instruments. S. Dispensations 1. *Dispensations.*
- 5 For Ex. by them which have spirituall iurisdiction, or any substitute or minister of theirs for Citations. S. Citation 3. *Judges spirituall.*
- 6 For Ex. by the Clerke of the Signet or priue Seale. S. Clerke of the Signet 8. *Clerke of the Signet.*
- 7 For Ex. of Masters, Wardens of Fellowships or Crafts, vpon any Apprentice, or other, whose Prentiship is expired. S. Corporations 4. *Wardens of Fellowships.*
- 8 For Ex. by any Coroner. S. Coroner 15. *Coroner.*
- 6 For Ex. by those which haue Commissions to leuie Musters, or make men serue in the warre. S. Capitaines &c. 14. *Musters masters.*
- 10 For Ex. by Clerkes of the Exchequer, of any Bishop, or other, that hath the receipt of Tenths. S. Exchequer 2. *Clerks of the Exchequer.*
- 11 For Ex. in Wales for gathering of Commorths without the Commissioners of the Marches consent. S. Wales 104. *Wales.*
- 12 For Ex. vpon them which trauaile through forests in Wales. S. Wales 112. *Wales.*
- 13 For Ex. by Eschetors, finding Offices of lands. S. Eschetors 3.9. *Eschetors.*
- 14 For Ex. in the chiefe Clerke of the Common place, for the entring of the concord of any fine. S. Chirographer 2. *Custos breuiu.*
- 15 For Ex. in the Chirographer of the Common place, his Deputie, or Lieutenant. S. Chirographer 1. *Chirographer.*
- 16 For Ex. by the Admirall, or any Officer of the Admiraltie, of any merchant or fisherman for licence &c. S. Fish 2. *Admirall.*
- 17 For Ex. by the Officers of the Court of Wards and Liueries. S. Wards 28. *Wards.*
- 18 For Ex. in such as take any thing for the report of any cause referred vnto them. S. Iustice 2. *Reports.*
- 19 For Ex. in the Marshall or any of his Officers. S. Marshall. 6. *Marshall.*
- 20 For Ex. taken by the head Officers of any borough of merchants, for Scavage and Shewage. S. Merchants 2. *Officers of Boroughs.*
- 21 In what sort Ordinaries shalbe indicted of extortion or oppression. S. Ordinaries 2. *Ordinaries.*
- 22 For Ex. by Ordinaries for proving of Wills, or committing of Administration. S. Probate of Testament 12. *Ordinaries.*
- 23 For Ex. in the Maior, Recorder, Steward, or Iustice of P. in Norwich, for admitting any person to occupie the arts of making Hats, Couerlets, or Dornukes. S. Hats 1. Couerlets 8. *Norwich.*
- 24 For Ex. for taking, writing, inrolling, or certifying a Recognisance in nature of a statute Staple. S. Statutes 13. *Recognisance.*
- 25 For Ex. by Clerkes of the Market. S. Clerke of the Market 1. *Clerke of the Market.*
- 26 For Ex. in taking money for obligations or acquitances for first fruits. S. Ecclesiastical persons 25. *first fruits.*

Faïres and Markets.

They which haue faïres by Charter, or otherwise, shall hold them no longer than they ought to doe, vpon paine of seisure of the same to the King, vntill they haue made fine vnto him for the said offence. And euery owner of a faïre, shall proclaim at the beginning thereof, how long it shall last, and after the said time euery Merchant shall shut vp his Booth, and stall, and if any Merchant doe sell any ware or merchandize at the said faïre, after the same be ended, he shall forfeit the double value of that which he hath sold, to the King &c. And euery one that will sue for the King, shall be received, and shall haue the fourth part of that which is so lost at his suit. 2. Ed. 3. 15. 5. Ed. 3. 5.

No man shall haue a faïre longer then he ought.

2. If any faïres or Markets be kept vpon god Friday, Corpus Christi day,

29

Ascen

Faires and Markets.

Certain daies
wherein faires
and markets
may not be
kept.

Ascension day, all Saints day, the day of the Assumption of our Ladie, Whitson day, Trinitie Sunday, or other Sunday (the foure Sundayes in Yarnest excepted) and any gods or Marchandise in them be shewed (necessarie victual onely excepted) the owners shall forfeit all their goods shewed, to the Lord of the Libertie, or Franchise, where such goods contrarie to this Ordinance shall be shewed. But they which haue no power to keepe Faire or Market, but vpon such daies, may keepe it within thre daies before or after any of the said feasts, after Proclamation first made, what day the Faire shall be holden. 27.H.6.5.

In euery
Court of Bi-
gowers the
pl. shall be
sworne &c.

3 If any Steward, Understeward, Bailife, or other Officer or Minister of any Court of Bigowers, pertaining to a Faire, will hold plea vpon an Action, at the suit of any person, vntill the plaintife or his Attorney do in presence of the defendant swear vpon the holy Euangelists vpon his declaration, that the contract, or other fact contained in the declaration, was made or committed within the time, iurisdiction, and bounds of the same Faire, he shall forfeit C.s. to the King and him that will sue by Action of Debt: for if the plaintife refuse the foresaid othe, the defendant ought to be dismissed out of the same Court, and the plaintife shall take his remedie at the Common Law &c. But though the plaintife do affirme the same, yet the defendant shall not be concluded, but shall answer and plead to the action, or in abatement of the plaint, and proffer an issue, that the same contract, trespassse, or other fact was not committed within the time of the Faire, or Jurisdiction of the same, but elsewhere &c. But this Statute shall not preiudice the Bishop of Durham, or his Successors, within the liberties of his said Bishopricke. 17.E. 4.2.1.R.3.6.

Place ap-
pointed for
hoyle faire.

4 If the Owner, Couernor, Fatmer, Steward, Bailife, or chiefe Keeper of any Faire or Market ouert, where Horses, Pares, Geldings, and Colts haue been and shall be used to be sold, do not petyly appoint one speciall open place, within the Towne, place, field, or circuit, where horses, mares, geldings, or colts, shall be sold, and also one sufficient person or more to take toll, and to continue in the same place from ten of the clocke in the forenoon, vntill the Sunne be set daylie, during the continuance of the said Faire, he shall forfeit for euery default xl.s. to the Qu. and J. to be recovered before the Iustices of peace, or by A. J. &c. wherein no W. &c. C. P. &c. 2. & 3. P. & M. 7.

When, where,
and of whom
toll for hoyle
shall be taken.

5 The Toll gatherer of euery Faire or Market, shall take his lawfull Toll for euery horse, mare, gelding, and colt, sold, exchanged, or put away in the said Faire &c. and at the open place appointed for the sale of horses, betwixt the houres of 5. in the forenoon, and the Sunne set, if it be tendered, and at no other time or place, and shall haue before him the parties to the bargain, at the taking of the Toll, and also the horse &c. sold, and shall write the names, surnames, and dwelling places of the parties, and the colour, and one speciall marke of the horse, or else he shall forfeit for euery default xl.s. to the Qu. and J. to be recovered before the Iustices of P. or by A. J. &c. wherein no W. &c. C. P. &c. For the sale of any stollen horse &c. in a Faire or Market, shall not take away the property from the owner thereof, except the same horse be openly ridden, led, walked, driven, or kept standing by the space of one houre at the least, betwixt ten of the clocke in the morning, and the Sunne set, in the open place of the Faire, where Horses are commonly used to be sold, and not in any house, yard, backside, or other secret place, and vntill all the parties to the bargain being present in the said Faire &c. shall come together, and bring the horse so sold, to the open place appointed for the Toll-taker, or Booke-keeper, and there enter their names and dwelling places, and the colour, and one speciall marke of the horse, and pay the Toll for the same, if any be payable in that Faire, or also the buyer to give a peny for entring &c. for where Toll is not due by reason of the Libertie of any Faire or Market, the Keeper of the Booke shall not exact a peny

The bring of
a stollen horse
to take away
the owners
property.

peny for a contract. And if any Horse, Mare, Gelding, or Colt, be lawfully stolen or taken away, be sold, given, exchanged, or put away in any faire or market, and not used in all points, as is aforesaid, then the owner thereof may take against the same, or have an Action of Detinue or Replevin for the same Horse &c. 2. & 3. P. & M. 7.

6 The Toll gatherer or keeper of the Booke, shall within one day next after such faire or market ended, bring and deliver his Booke to the Owner, Writ, and, Bailiff, or Chief Governour of the faire &c. who shall cause a note to be made, of the number of all Horses &c. sold at the said faire, and shall subscribe his name, or set his mark thereunto. And who so maketh default, shall forfeit for every offence 11. s. to the Quene and Inf. to be recovered before the Justices of P. or by A. J. &c. wherein no W. or C. P. &c. and also shall answer the parties which is grieved by his negligence in every behalfe. 2. & 3. P. & M. 7. S. Justices of peace &c.

A note of all horses sold in a faire.

7 No person shall in any faire or market sell, give, exchange, or put away any Horse, Mare, Gelding, Colt, or Filly, unless the Toll-taker there, or (where no Toll is paid) the Booke-keeper, Bailiff, or chief Officer of the same faire or market, shall & will take upon him perfect knowledge of the person that so shall sell, offer to sell, give, or exchange any Horse &c. and of his true Christian name, surname, and place of dwelling, or residence, and shall enter all the same his knowledge into a Booke there kept for sale of Horses: Or else that hee so selling or offering to sell, give, exchange, or put away any Horse &c. shall bring unto the Toll-taker, or other Officer aforesaid of the same faire or market, one sufficient and credible person, that can, shall, or will testify and declare unto, and before such Toll-taker, Booke-keeper, or other Officer, that he knoweth the parties that so selleth, giveth, exchange, or putteth away such Horse &c. and his true name, surname, mystery, and dwelling place, and there enter, or cause to be entered in the Booke of the said Toll-taker, or Officer, as well the true Christian name, and surname, mystery, and place of dwelling, or residence, of him that so selleth, giveth, exchange, or putteth away such Horse &c. as of him that so shall testify or avouch his knowledge of the same person, and shall also cause to be entered the true price or value that he shall have for the same Horse &c. so sold. And no person shall take upon him to avouch, testify, or declare, that he knoweth the parties that so shall offer to sell, give, exchange, or put away such Horse &c. unless he doe indeed truly know the same person, and shall truly declare to the Toll-taker, or other Officer aforesaid, as well the Christian name, surname, mystery, and place of dwelling and residence of himselfe, as of him, of, and for whom he maketh such testimonie & avouchment. And no Toll-taker, or other person keeping any Booke of entrie of sales of Horses in faires or markets, shall take or receive any toll, or make entrie of any sale, gift, exchange, or putting away of any Horse &c. unless he knoweth the parties that so selleth, giveth, exchange, or putteth away any such Horse &c. and his true Christian name, surname, mystery, and place of his dwelling, or residence, or the parties that shall and will testify and avouch his knowledge of the same person so selling, giving, exchanging, or putting away such Horse &c. and his true Christian name, surname, mystery, and place of dwelling or residence, and shall make a perfect entrie into the said booke of such his knowledge of the person, and of the name, surname, mystery, and place of the dwelling or residence of the same person, and also the true price or value that shall be bona fide, taken or had for any such Horse, &c. so sold, given, exchanged, or put away, so farre as he can understand the same, and then give to the parties so buying, or taking by gift, exchange, or otherwise, such Horse &c. requiring and paying two pence for the same, a true and perfect note in writing, of all the full contents of the same, subscribed with his hand, on paine that

The seller of the horse must be knowne.

Avouching of a horse's sale.

What shall be entered into the toll booke.

A note in writing delivered to the buyer.

Faires and Markets.

that every person that so shall sell, giue, exchange, or put away any horse &c. without being knowne to the Toll-taker, or other Officer aforesaid, or without bringing such anoucher, or witnesse, causing the same to be entred, as aforesaid, and euerie person making any untrue testimonie or anouchment in the behalfe aforesaid, and euerie Toll-taker, Booke-keeper, or other Officer of Faire or Market aforesaid offending in the premises, contrarie to the true meaning aforesaid, shall forfeit for every such default v. l. but also that euerie sale, gift, exchange, or other putting away of any horse &c. in Faire or Market, not used in all points, according to the true meaning aforesaid, shall be void. The halfe of which forfeiture shall be to the Qu. &c. and the other to him that will sue for the same before the Iustices of peace, or in any of her Maiesties ordinarie Courts of Record, by A. of debt, W. P. or J. wherein no C. P. &c. 31. El. 12.

The owner
may redeme
his stolen
horse within 6
moneths, pay-
ing the price.

8 If any Horse, Mare, Gelding, Colt, or Fillye, shall stollen, and after shall be sold in open Faire or Market, and the same sale shall be used in all points and circumstances, as aforesaid, yet neuerthelesse the sale of any such horse &c. within six moneths next after the felonie done, shall not take away the proprietie of the owner from whom the same was stollen, so as claime be made within six moneths by the partie from whom the same was stollen, or by his Executors or Administrators, or by any other by any of their appointment at or in the Towne or Parish where the same horse &c. shall be found before the Mayor, or other head Officer of the same Towne or Parish, if the same horse &c. shall happen to be found in any Towne corporate, or Market Towne, or else before any Justice of P. of that Countie nere to the place where such horse &c. shall be found, if it be out of Towne corporate, or Market Towne, and so as proofe be made within xl. daies then next ensuing, by two sufficient witnesses to be produced and deposed before such head Officer or Justice (who by vertue of this Act shall haue authoritie to minister any othe in that behalfe) that the property of the same horse &c. so claimed, was in the party, by, or for whom such claim is made, and was stollen from him within six months next before such claim of any such horse &c. But the partie from whom the said horse &c. was stollen, his Executors or Administrators shall and may at all times after, notwithstanding any such sale or sales in any Faire or open Market thereof made, haue property and power to haue take againe, and enjoy the said horse &c. upon payment, or readinesse, or ready to pay to the party that shall haue the possession & interest of the same horse &c. if he will receive and accept it, so much money as the same partie shall depose and swear before such head officer or Justice of P. (who by vertue of this Act shall haue authoritie to minister and giue an othe in that behalfe) that he paid for the same bona fide without fraud or collusion: any Law, Stat. &c. notwithstanding. Not onely all accessories before such Felonie done, but also all accessories after such Felonie, shall be depriued and put from all benefit of their Clergie as the principall by Statute heretofore made, is, or ought to be. 31. Eliz. 12. S. Clergie. 13. Iustices of peace 65.

Accessorie to
Felonie.

A scale for eu-
erie Faire.

9 S. Statute de Mercatoribus 13. Ed. 1. The King shall provide a scale for fairs, and the same shall be sent vnto every Faire vnder the kings scale, by a clerk sworne or by the keeper of the Faire.

Churchyards

10 S. Statute Winchester 13. Ed. 1. 6. Faires nor Markets shall be kept in the Churchyards, so the honour of the Church.

Londoners
may carry their
wares to any
Faire or
Market.

11 Euerie Freeman and Citizen of the Citie of London, may lead, carrie, or goe with his victuall, ware, or merchandize whatsoener it be, to any Faire or Market within England: any Stat. or ordinance made or to be made within London, to the contrarie notwithstanding. And if any person do cause another to be preiudiced by any Stat. or ordinance made or to be made in London to the contrarie, he shall forfeit to the K. and J. R. to be recovered by A. of debt, wherein no C. P. &c. 3. H. 7. 9.

1 Who

1 Who may buy Cattell onely in the Faire and Market, and who elsewhere. S. Cattell 2.

2 Lords of Faires and Markets shal appoint Searchers and Sealers of Leather. S. Leather 26.

3 The selling of stolen Cattell in a Faire or Market in Wales, shal not alter the property. S. Wales 72.

False Judgement.

NOne (but the King) shall hold plea in his Court, of false judgement given in the Court of his tenants: for such pleas doe speciall belong to the Kings Crowne and dignitie. Marleb. 5. 2. H. 3. 10.

2 If a Record come into the Court by a writ of false judgement, if in case the partie doe say, that the record is otherwise then the Court doth recorde, the anwerment shall be received of the Countrey, and of them that were present in the Court when the record was made, if they doe come with others of the Countrey by the Sherifes returne, and if they come not, the Enquest shal be taken by the Countrey. 1. Ed. 3. 4.

Farmes.

If any person doe take any severall farmes, more then one, of any Barons, Lands, Tenements, Parsonages, or Tithes within the Isle of Wight, whereof the farme of them altogether shall exceed the summe of tenne markes yerely, the lesse shall forfeit to the King for every such taking ten pounds. 4. H. 7. 16.

2 Whosoever doth receive or take in farme for terme of life, yeres, or at will, by Indenture, copie of court rol, or otherwise, any more houses or tenements of husbandrie, whereunto any lands are belonging, in Colone, Village, Hamlet, or tithing within this Realme, above the number of two such holds or tenements, or hath or occupieth any such holds so newly taken, to the number of two, except he be dwelling within the same parishes where such holds be, he shall forfeit to the King and I. for everie weke that he shall have, occupie, or take any profits of such holds contrarie to this Act three shillings four pence, to be recovered within one yere next after such offence committed, by A. J. 4. wherein no W. 4. C. 2. 4. 25. H. 8. 13.

1 When lands seised into the Kings hands vpon an Enquest taken before an Escheator, may be let to farme, and to whom. S. Parents 17.

2 The Shirife shall not let to farme his Countie, his Bailiwikes, Hundreds, nor Wapentakes. S. Shirifes 5.

3 Ecclesiastical persons may not take any farmes. S. Ecclesiastical 14. 16.

Felonie.

All men generally shall be ready at the commandement and summons of the Sherifes, and at the crye of the countrey, to pursue and arrest felons, when need shall be, as well within franchises as without, and they that will not, and thereof be attainted, shall make a grievous fine to the King, and if default be found in the Lord of the franchise, the King shall seise the franchise into his hands. And if default be in the bailiffs, he shall be one yere imprisoned, and after make a grievous fine, and if he have not wherof, he shall have two yerres imprisonment. And if the Shirife, Coroner, or any Bayliffe within such franchise, or without, so reward, or intreatie, or any assistance, doe conceale, consent, or procure to conceale the felonies

Every man shall pursue felons.

Concealment or not attachment of felons

Felonie.

- Felonies done in their Liberties,** or otherwise will not attach or arrest such Felons (whereas they may) or otherwise will not doe their offices for the fauour that they beare to such offenders, and be thereof attainted, they shall be one yere imprisoned, and make a grieuous fine. And if they haue not whereof to make fine, they shall bee thre yeres imprisoned. West. 1. 3. Ed. 1. 9. Upon all Homicides, Burglaries, men slaine, or put in great danger, huy and crie shall be leuied, and every man shall follow the huy and crie, and offenders steps, if it may be, and whosoever doth not, and is thereupon convicted, shall be attached to appeare before the Just. of Gaole deliuerie. 3. Ed. 1. Officium Cor. S. Huy and Crie.
- Huy and crie.** 2 If any man suspect lewd persons (called Robertsmen, Masters, or Dratwatches) of any Manslaughters, Felonies, or Robberies, be it by day or night, they shall be incontinently arrested by the Constable of the Towne, and if it be within franchise, deliuered to the Baylifes of the franchise, and if in Gildable, to the Shirifes, and kept untill the coming downe of the Justices of Gaole Deliuerie, who shall proceed to the deliuerance of them. 5. Ed. 3. 14.
- Persons suspected of felony.** 3 If notorious Felons which be openly knowne of euill fame, will not put themselves upon Enquests of felonies which any man doth prosecute before the Ju. at the R. suit, they shall be put in strait and hard prison, as those which refuse the Law of the Realme. But this is not vnderstanded of prisoners, which be taken for a light suspicion. West. 1. 3. Ed. 1. 12.
- Felons refusing lawfull trial.** 1 The keeper of a Forest, Parke, or Warren, may kill him which cometh within his charge to do hurt, and wil not yeeld. S. Forests 4.
- Heine for a durre.** 2 He which killeth a Felon, that attempteth to rob him, shall forfeit nothing. S. Forfeitures 1.
- 3 The Iustices may award a writ of restitution of stollen goods vpon the attainer of a Felon. S. Restitution 1.
- 4 The King shall haue Felons goods, and *Annum, Diem, and Vassum*, in their lands. S. Prerogative 16.
- 5 The Iustices of the K. Bench may remaund any Murtherer or Felon, and his Indictment to be tried in the countrie. S. Remouer 2.
- 6 The goods of him which is imprisoned for Felonie, shall not be seised, before he be attainted therof. S. Shirifes 4.
- 7 What meanes may be vsed for the apprehension of Felons in one Countie, that be indicted in an other. S. Indictments 2. 3.
- 8 Felonie in him which going ouer the Sea to serue a foraine Prince, doth not take the Othe, or enter into Obligation with sureties, according to the Statute. S. Recusants 47.
- Shepe.** 9 Felonie in him who the second time doth send, or receiue sheepe being alieue into a ship, to be conueyed out of the K. dominions. S. Sheepe 2.
- Plague.** 10 Felonie for any person hauing an infectious plague sore vpon him, to goe abroad, being commanded to the contrarie. S. Plague 4.
- Mariage.** 11 Felonie to mary a second husband, or wife, the first being alieue. S. Matrimonie 8.
- Recusants.** 12 Felonie in a Recusant who beeing commanded doth refuse to abiure the Realme, doth not depart, or returneth without licence. S. Recusants 19. 33.
- Coniuration.** 13 Felonie in practising of Coniuration, Witchcraft, Enchantment, Charme, or Sorcerie. S. Coniuration 1. 3.
- Seruants.** 14 Felonie in a seruant that doth imbecill his masters goods after his death, and doth not appeare to answer it when he shall be demanded. S. Executors 5.
- Egyptian.** 15 Felonie in one calling himselfe an Egyptian to continue in England or wales a moneth. S. Egyptians 2.
- Conspiracie.** 16 Felonie in any of the kings seruants sworne, to conspire to destroy the king, any

any Lord, or other sworne to the Kings counsell. S. Conspiracie 4.

17 Felonie to rauish any woman, & carnally to know any woman child vnder the age of ten yeres. S. Rape 1. 2. Rape.

18 Felonie for any persō to breake prisō. being therein for felonie. S. Prison 5. Breaking of

19 Felonie to take any maide, widow, or wife, hauing lands, or goods, and to re- ceive any so taken. S. Women 11. Taking a woman.

20 Felonie for a Tailor to make a prisoner in his ward to become an approuer. S. Prison 2. Tailor.

21 Felonie for a Clerke, or other person, to steale, or take awaie a Record &c. whereby iudgement shalbe reuerfed. S. Records 4. Imbreffing of a Record.

22 Felonie to find a Hawke and not to bring it to the Shirife. S. Hawks 2. Hawkes.

23 Felonie for him which is entred of Record a Souldier, not to come vnto, or to depart from his Captaine. S. Captaines 3. Souldier.

24 Felonie to hunt in a forest, parke, or warren, or with painted faces, and being examined to conceale the offence, or offenders. S. Hunting 4. Hunting.

25 Felonie for a Purueior to make purueiance for the K. house without war- rant: Or to take any carriage in other maner then is comprised in his commission: Or not to make his promise by the appraisement of the Constables, and foure ho- nest men of the towne where &c. Or to take more then he doth deliver to the kings house: Or to take more sheep before share time, then be sufficient &c. S. Purueiors 4. 9. 17. 18. 19. Purueiors.

26 Felonie in Mafons to make congregations and assemblies. S. Mafons Mafons.

17 Felonie in cutting out the tongues, or putting out the eies of any of the kings subiects maliciously. S. Tongues &c. Cutting of tongues and eies

28 Felonie to practise multiplying of gold or siluer. S. Multiplying. Multiplying.

29 Felonie in forging of Euidences, being once conuicted therof before. S. For- ging 4. Forgerie.

30 Felonie in receiuing, releueing, or comforting any Iesuiste, Priest, &c. beeing borne within this realme. S. Iesuists 3. Iesuistes.

31 Felonie to take any person out of Cumberlād, Northumberland, Westmer- land, or the Bishopricke of Durham to imprison him, or carrie him elsewhere. S. Robberie 1.

32 Felonie by imbefilling the kings ordnance, armour, or victuall, to the value of xxx. shillings. S. Armour 3. Armour.

33 Felonie in a rogue being banished by the Iustices of Peace to returne again without licence. S. Vagabonds 4. Rogue bani- shed.

34 Felonie in a wandring souldier, or mariner, who doth not settle himselfe to some lawful course of life: Or shal not haue a testimonial vnder the hād of a Iustice of P. Or hauing such a Testimoniall will exceed his time limited: Or which doth forge a Testimoniall: Or which being retained into seruice doth depart within his time. S. Mariners 4. 5. 6. Wandring souldier or mariner.

35 Felonie by poysoning of any person. S. Murder 5. Poysoning.

36 Felonie in committing Buggerie with mankind or beast. Buggerie.

37 Felonie of a seruāt (other than an apprentife) to go away with mony, goods, &c. of his masters, or mistresses, of the value of xl. s. to the intent to steale it, or to de- fraud his master &c. of it, or to conuert it to his owne vse. S. Stealing, 2. 1. H. 8. 7. 5. El. 10. In imbefil- ling seruant.

38 Felonie for any person maliciously to break vp or cut down any part of new Powddike in Marshland in the Countie of Norfolke, otherwise called Olde field dike in the Isle of Ely in the county of Cambridge, or any other bāke, being parcel of the rinde, and vttermoſt border of the same country of Marshlād, made for the defence of the same country of Marshlād, otherwise then in working vpō the same bankes Breaking of Powddike.

Fefants, Partridges, Hares, &c.

bankes and dikes for the repaire thereof. 2. H. 8. 11. 2. & 3. Ph. & M. 19. S. Iustices of Peace 17.

Tame beasts. 40 Felonie by taking of tame beasts in a parke. S. Tame beasts 2.

Fefants, Partridges, Hares, &c.

Taking Fefants &c. with snares.

If any person do take, or cause to be taken any fefants or Partridges, by Nets, Snares, or other Engins; out of his owne warren, vpon the stretch of an other person, without the assent & speciall licence of the owner, or possessor of the same, he shall forfeit. x. s. to the owner of the ground and the Informer, to be recovered by A. B. 21. H. 7. 17.

Killing of Fefants or Partridges in the night.

No person shall take, kill, or destroy any fefants or Partridges with any manner of Nets, Snares, Ginnes, Engins, rowling, lowling, or other deuises whatsoeuer in the night time, vpon paine of forfeit. for every fefant so taken, killed, or destroyed, contrarie to the true meaning of this act xx. s. and for every Partridge x. s. The which said penalties, if every person so offending, do not pay within x. daies next after his or their conviction, then to haue one months imprisonment, without baile or maineprie. And further, ouer & beside such forfeit. or imprisonment, to put in bond with good surerties for the space of y. yerres, that he shall not take, kill, or destroy any Partridges or fefants, contrarie to the true meaning of this act: The same bond to be taken by some J. of the Peace of the County where the said offence shall be committed. The one halfe of all which said severall forfeit. to be to the chiefe Lord or Lords of the Liberties, Lordships, or Manors, vpon and in which the same shall be so taken, killed, or destroyed, and the other moitie to such person or persons, as will sue for the same in any her Maiesties Courts of Record, by W. B. or J. wherin no W. C. p. 4c. 23. El. 10.

A remedie where the lord both dispence with the forfeiture, or give licence to offend.

Provided alwaies, that if such person, to whom the one halfe of the said forfeit. is appointed for the taking, killing, or destroying of Partridges & fefants, contrary to the tenor of this act, shall dispence with, licence, or procure any taking, killing, or destroying of any Partridges or fefants, contrary to the forme of this act: then all such forfeitures and penalties, as such person or persons should haue by vertue of this act, shall be to the poore of the parish, where such taking, killing, or destroying shall be committed: and that to be leuied or recovered in maner and forme aforesaid, by any one of the Churchwardens of the parish where the offence shall be committed. 23. El. 10.

Hawking in eared or codd coine.

No person or persons shall hawke, or with his spaniels hunt in any ground where coine or other graine shall then growe (except it be in his owne ground) at such time as any eared or codd coine or graine shall be standing and growing vpon the same, nor before such time as such coine and graine shall be shocked, cocked, hilled, or copped, vpon paine of forfeiture for every time that he shall so hawke or hunt as aforesaid (without the consent of the owner of the coine or graine) to such person or persons as shall be owner of the said eared or codd coine or graine xl. shillings, and the same to be leuied and recovered in maner and forme aforesaid. 23. Eliz. 10.

Taking Partridges & fefants, and letting them goe againe.

Provided alwaies, that this act shall not in any wise extend to Lotbellers, Trammelers, or others, which shall unwillingly happen to take any Partridges or fefants by night vnder any Trammel, Lotbell, Roadnet, or other Engin: So as they and enery of them doe presently lose and let goe every fefant and Partridge so taken, and suffer them presently to flie and goe at large at the place where they shall happen so to be taken, without willingly killing, or wilfully hurting any such fefant or Partridge so taken in any maner of sort: any thing in this act or notwithstanding. 23. Eliz. 10. S. Lees 17. Iustices of P. 38.

6 All and every person and persons, which shall shoot at, kill, or destroy, with any Gunne, Crossebowe, Stonebow, or Longbow, any fasant, Partridge, House dove, or Pigeon, Hearne, Gallard, Ducks, Teale, Widgeon, Crouse, Heathcocke, Pheegame, or any such foule, or any Hare: Or shall take, kill, or destroy, any fasant, Partridge, House dove, or Pigeon, with setting dogges and nettes, or with any maner of nettes, snares, engines, or instruments whatsoever, Or shall take the egges, of any fasant, Partridge, or Swannes, out of the nestes, or willingly breake, spoile, or destroy the same in the nest, Or shall trace, or course any Hares in the Snowe, or at any time take, or destroy any Hares, with Harepipes, Coydes, or any such Instruments, or other engines, And the same offence or offences being proved by the confession of the partie, or by the testimonie of two sufficient witnesses, upon othe before two or more Justices of Peace of the same Countie, Citie, or towne corporate, wherein the offence shall be committed, or the partie offending apprehended, shall be by the said Justices of Peace for every such offence committed to the common Gaole of the said Countie, Citie, or towne Corporate, where the offence shall be committed, or the partie apprehended, there to remaine for thre moneths, without baile or mainprise, unlesse that the offender do, or shall forthwith upon the said conviction paie, or cause to be paid to the Churchwardens of the said parish where the said offence shall be committed, or the partie apprehended, to the use of the poore of the said parish, x. s. for every fasant, Partridge, House dove, Pigeon, Hearne, Gallard, Ducks, Teale, Widgeon, Crouse, Heathcocke, Pheegame, or for any such foule, And for every egge of fasant, Partridge, or Swannes, and for every Hare, which any, and every such person and persons so offending and convicted as aforesaid, shall take, kill, or willingly destroy, contrary to the true meaning of this statute, Or after one moneth after his commitment, together with two sufficient sureties, become bound by Recognisance in twenty pounds a pece to the King's use, his heires and successors, with condition that he the said partie so offending, shall not at any time thereafter shoot at, kill, take, or destroy, any of the said games before mentioned, by any of the means aforesaid: Which said Recognisances shall be taken by any two or more Justices of Peace of the said Countie, Citie, or towne Corporate, where the offender shall be so imprisoned, as aforesaid and shall be returned to the then next Quarter Sessions, and there to remaine of Record, as other Recognisances taken for the peace. 1. Jac. 27.

Destroying
certain games
or their egges

7 All and every person and persons, which shall have, or keep any Greyhound, for courting of Hare, or Hare, or setting dogges or dogges, or net or nets, to take fassants, or Partridges, (except such person or persons which shall be seized in their owne right, or in the right of their wives, of lands, tenements, or hereditaments, of the cleere yeerly value of x. l. by the yeer or more, over and above all charges and reppises, of some estate of inheritance, Or of lands, tenements, or hereditaments, in his owne right, or in the right of his wife, for terme of life or lines, of the yeerly value of xxx. l. over and above all charges and reppises, Or be possessed of goods and chattells to the full value of 200. pounds to his owne use, Or be the sonne or sonnes of any knight, or of any Baron of Parliament, or of some person of higher degree, or the sonne and heire apparent of any Esquire) and being thereof convicted as aforesaid, shall by the said Justices of the peace be committed and imprisoned in maner and forme, as in and by this Act is before expressed: except such person and persons so offending, and thereof convicted as aforesaid, doe forthwith pay, or cause to be paid, to the churchwardens of the said parish, where the said offence shall be committed, or the partie apprehended, to the use of the poore of the said parish x. s. of lawful money of England. 1. Jac. 27.

Keeping of
Greyhounds,
setting dogges,
or nettes.

8 Every person and persons, which shall sell, or buy to sell againe, any Hare, Hare,

Fesants, Partridges, Hares, &c.

**Selling of
Dare, Hare,
Partridge, &c.**

**The forfei-
tures.**

**Punishment
by former
lawes.**

**Licence to
shoot in a gun
for Hawkes
meat.**

**The penaltie
for killing of
any fasant or
Partridge by
hawking be-
tweene the
first day of
Julie and the
last of August**

**In any
parish
or hamlet
or village
or town**

**He that is pun-
ished by this
law shall be ex-
cused for any
other.**

**Within what
time any off-
ence shall be
accused.**

Hare, Partridge, or Fasant, (except Partridges and Fesants reared and brought up in house or hauses; or brought from beyond the Seas) shall forfeit for every Dare so bought and sold x. s. for every Hare x. s. for every Partridge x. shillings, & for every Fasant x. shillings. Of all which forfeitures the one moiety shall be to him that will sue for the same, by Bill of Indictment, or Information, And the other moiety to the poore of the parish, where the said offence or offences shall be committed, And no person or persons shall or may be punished by force of any former Statute or Law, for any of the said offences, for which by force of this law any punishment shall be inflicted. *1. Jac. 27.*

9 It shall and may be lawfull to and for every person and persons keeping any Hawke or Hawkes, which at the generall quarter Sessions of the Countie (where he and they shall dwell) shall be licensed to shoot haile shot, in handguns, or birding piece, at Cootie, Chough, Pheasant, Woke, Kingdome, Jay, or smale birds, for hawkes meat only, to shoot and kill hawkes meat, according to the said licence only, so that such parties to be licensed, doe at the same quarter Sessions become bound to the King by Recognisance in x. l. not to shoot at the foule or game, at which shooting is prohibited by this law, And so that he or they shall not shoot in any handgun, or other gun, within five hundred paces of any Hearneie, nor within one hundred paces of any pigeon house, nor in any parke, forest, or chase, whereof the partie so licensed, or his master is or shall not be the owner, keeper, or gouvernour: for the which licence and Recognisance the Clarke of the Peace is to take onely x. pence, and no more. *1. Jac. 27.* To continue to the end of the first Session of the next Parliament. *S. lust. of peace 38.*

10 All and every person and persons whatsoever, which at any time after the end of this present Session of Parliament doth or shall Hawke at, destroy or kill any fasant or fessants, Partridge or Partridges, with any kind of Hawke or Hawkes, Dogge or Dogges, by colour of Hawking betwene the first day of July and the last day of August, and the same offence or offences being proved by the confession of the partie, or by the testimonie of two sufficient witnesses upon oath, before two or more Justices of peace of the said Countie, Citie, or Towne Corporate wherein the offence shall be committed, or the partie offending apprehended, shall be by the said Justices of peace, for every such offence committed to the common Gaole of the said Countie, Citie, or Towne Corporate, where the offence shall be committed, or the parties apprehended, there to remaine for one whole moneth without baile or mainprize, unless he that the said offence do, or shall forthwith upon the said conviction paye, or cause to be paid to the Churchwardens of the said Parish, or unto the Overseers of the poore, or some of them, where the said offence shall be committed, or the partie apprehended, to the use of the poore of the same parish, the summe of fortie shillings for every such Hawking at any fasant or Partridge, and twentie shillings for every fasant or Partridge which any and every such person and persons so offending and convicted (as aforesaid) by himselfe, his Hawke, or Hawkes, Dogge or Dogges, shall take, kill or destroy, contrarie to the true purport, intent and meaning of this present Statute. Provided alwaies that if any person or persons shall be at any time hereafter convicted and punished by vertue of this Law: That then the partie so punished shall not for the same offence be afterwards called in question, and punished by vertue of any other Law touching or concerning the like offences. Provided also that no offender shall be impeached or punished by vertue of this act unless he or they be accused as delinquent before the said Justices of Peace within six moneths next after the said offence or offences committed and done. *1. Jac. 11.*

11 It shall and may be lawfull for every person or persons, which have or shall have free warren and to and for every Lord of a manor, and to and for every freeholder

holder which is, or shall be seized in his owne right, or in the right of his wife of Lands, Tenements, and Hereditaments, to the cleare pecely value of forty pounds or more by the year, over and above all charges and reprises, of some estate of Inheritance, or of Lands Tenements and Hereditaments in his owne right, or in the right of his wife, for terme of life or lines of pecely value of fourscore pounds over and above all charges and reprises, or which shall be worth in goods or chattels four hundred pounds, by him or them selves, or by his or their meniall and household servants (sufficiently authorized from his or their master for that purpose) to take Felants & Partridges (in the day time onely) in and upon his or their owne, or his and their officers free warren, manor and frichold, as aforesaid, or on any part of them, betwixt the Feast of Saint Michaele the Archangell, and the birth of our Lord God pecely, any thing in the said Law before mentioned to the contrary notwithstanding. 7. Jac. 11.

Who may take Felants and Partridges where and when.

12 All and every person and persons which from and after the first day of September next shall take, kill, or destroy any Felant or Partridge with setting Dogges and Nets, or otherwise with any manner of Nets, Snares or Engines, and the same offence or offences, being proved by the confession of the partie, or by the testimonie of one sufficient witnesse upon othe, before two or more Justices of the Peace of the same Countie, Citie or Towne Corporate, wherein the offence shall be committed, or the partie offending apprehended, shall be by the said Justices of the Peace, for every such Offence committed to the Common Gaole of the same Countie, Citie, or Towne Corporate, where the Offence shall be committed, or the partie apprehended, there to remaine for three moneths without Baile or Mainprise, unless that the said Offender shall forthwith paie, or cause to be paid to the Church-wardens or Over-seers of the poore of the said Parish, where the said Offence shall be committed, the summe of twentie shillings for every Felant or Partridge, which any and every such person or persons so offending shall take, kill, or destroy as aforesaid, contrarie to the purpose and true meaning of this Statute, and further to become bound by recognizance, in the summe of twentie pounds to his or their selfe, his heires and successors, with condition, that he the said partie so offending, shall not at any time thereafter take, kill, or destroy any Felant, or Partridge: which said Recognizance shall be taken, by any one, or more Justices of Peace of the said Countie, Citie, or Towne Corporate where the said offence shall be committed, as aforesaid, and shall be returned to the then next quarter Sessions, and there to remaine of Record as other Recognizances taken for the peace. And every Constable & Headborough, in every Countie, Citie, Towne Corporate, and other place where they shall be sworn Officers, shall and may by vertue of this present Act (bringing with them to that purpose a lawfull warrant under the hands of two Justices of Peace of the Countie, Citie, Liberties, or Towne Corporate) have full power and authoritie to enter into and search the house or houses of any person or persons (other then such as by this present Act are allowed to take Felants and Partridges, with nets as aforesaid) being suspected to have any setting Dogges, or Nets for the taking of Felants, and Partridges, and wheresoever they shall find any such setting Dogge or Nets, the same to take, carrie away, and detaine, kill, destroy, and cut in pieces, as things prohibited by this Act, and forfeited to such of the said Officers, as shall find out, and take the same, as aforesaid. 7. Jacobi 11. This Lawe to continue unto the end of the first Session of the next Parliament, and no longer.

The penalties for taking any Felants or Partridges with setting dogges, nets, or cc.

Officers may search the houses of persons suspected to offend.

Fifteenes, and Taxes. Fighting, Quarrelling.

Fifteenes, and Taxes.

Cattel charge
able to the xv.
where they be
the time of the
same granted.

All Forreines, hauing lands or tenements, goods or chattels, within any towne, at the day of the graunt of any Disme, Fiftene, or other Tare, although they lead away their beasts, or carrie away their goods and cattels out of the same towne after the day of the said graunt, yet euery of them shall be contri- butorie with the inhabitants of such towne, to such Disme, Fiftene, or Tare. And the Collectors of the same disme, fiftene, or tare, for the time being within such towne, haue power by authoritie of their office, to tare and assesse such fo- reines according to the quantitie of their goods, cattels, and possessions, being in the said towne at the day of the graunt, of the said dismes, fiftene, or tare, and for the same summes whereto they be assessed or tared, to distraine in euerie place within the said Countie, as well befoze the King be answered the whole summes that attaine to the said Towne, as after. But no man or woman shall be twice charged for any such beasts, goods, or cattels, in any wise by occasion thereof. 2. Hen. 4. 7. S. 1. Ed. 3. 6.

Fighting, Quarrelling.

Drawing of
blood within
the R. palace.

If any person shall maliciously strike any other person, whereby blood shalbe shed in any of the R. houses or palaces or in any other house, where the R. Palace, his heires, &c. shal be at that time abiding in his roiall person, viz. within any edifices, courts, places, gardens, orchards, or houses, within the Porters ward of any of the houses aboue rehearsed, or within any gardens, priue walkes, orchards, till- yards, woodyards, tennis plaie, cocke fights, bowling allies, nere adioyning to a- ny of the said houses, & being part of the same, or within 200. foot of the standarde of any outward gate or gates of any of the said houses, commonly used for passage from any of the houses &c. and shalbe thereof indicted, arraigned, & attainted, according to the statute in that case provided, he shal haue his right hand striken off, be impri- soned during his life, and make fine to the King at his pleasure. But this act, nor the paines and forfeitures befoze rehearsed, shall not extend to any noble man, or other person that shall strike his seruant within the said palaces, or houses, or the limits of the same, with his hand or fist, or any smale staffe or stick, for recreation for any offence committed: For to any of the R. Officers, that in executing his office, shal strike any person with his hand, fist, or smale staffe, strike, or tipstaffe: For to any o- ther person, that in doing seruice at any triumph, or any other time of seruice, by the R. or any of his Councell, or other his head officers commandement, shall for the exe- cuting of his said seruice, strike any person with his hand, fist, smale staffe or stick, or any tipstaffe, within the same palace, house, &c. although by reason of the same stroke or strokes, there happen to be any bloodshed of such person as shall be so striken, ex- cept the person so striken die of the same stroke within one yere next after. 33. H. 8. 12. How the offendor in this case shall be indicted and tried. S. Trial 4. 5. 6.

Chiding in
the Church or
Churchyard.

If any person whatsoever, do by words only quarrell, chide, or bzaule, in any church or churchyard, then it shalbe lawfull to the Ordinarie of the place where the offence is done & proued by two lawfull witnesses, to suspend him (being a lay man) ab ingressu Ecclesie, & being a clerke, from the ministation of his office, so long as he thinketh meet, according to the fault. 5. Ed. 6. 4.

Smiting in
Church or
Churchyard.

Whofoeuer shall smite, or lay violent hands vpon another, in any Church or Churchyard, shall be deemed ipso facto excommunicat, and excluded from the fel- lowship, and companie of Christs congregation. 5. Ed. 6. 4.

If any person shal maliciously strike any persō with any weapō in any church or

o2 churchyard, o2 that draw any weapon in any church o2 churchyard, to the intent to strike another with the same, then every person so offending, & thereof being convicted by verdict of 12 men, o2 by his owne confession, o2 by 4 lawfull witnesses, befoze the J. of Assise, J. of Oyer & determiner, o2 J. of P. in their Sessions, shall be adjudged by the same J. befoze whom such person shall be convicted, to have one of his eares cut off, And if 2 persons o2 persons so offending, have none eares, whereby they should receive such punishment as is befoze declared, then he o2 they to be marked & burned in the cheeke with an hot iron, having the letter (F) whereby he o2 they may be knowne & take fo2 tray makers & fighters, and besides, that every such person to be and stand ipso facto excommunicated as is aforesayd. 7. & 6. Ed. 6. 4.

Drawing o2
smiting with a
weapon in a
Church o2
Churchyard.

5 If any assault o2 fray be made vpon any Lord Spiritual, o2 Temporal, Bn. of the Shire, Citizen, o2 Burgesse, which comes to the Parliament, o2 to the Kings Councell by his commaundement, and there being & attending, then proclamation shall be made in the most open place of the towne where the assaye was made, by iij. several daies, that the party that made such assaye o2 assault, shall yeld himselfe in the Kings Bench, within a quarter of a yeare next after the proclamation made, if it be in the Terme time, o2 otherwise at the first day of the Terme following the sayd quarter. And if he doe not, he shall be attainted of the deeth, and pay to the party grieved his double damages, to be tayed by the discretion of the Justices of 2 same Bench, o2 by enquest, if it be needfull, and shall make fine & ransome at the Kings pleasure. And if he come and be found guiltie by enquest, by examination, o2 otherwise of such assaye o2 assault, then he shall pay to the party grieved his double damages found by the enquest, o2 to be tayed by the discretion of the sayd Justices, and make fine & ransome at the kings pleasure. 11. H. 6. 11. The like punishment shall he have, which maketh assault o2 fray in Parliament time vpon any meniall servant of any Knight of the Parliament, o2 ec. which both come to the Parliament with his spasser. 5. H. 4. 6.

Affaults vpon
them which
come to the
Parliament.

Counting the
servant of him
which cometh
to the parliament.

Fines.

As well the parties Plaintifes o2 Demaundants, as the Tenants and defendants, which will knowlege o2 yeld their right o2 Tenements to others in pleas of Warratia charge, Couenant, and other like, wherupon fines are to be leuied, shall come personally befoze the Justices of the Common place, befoze the same fines be leuied, that their age, Idocie, o2 other defect (if there be any) may be discerned and iudged by them: But if any man which is old, decrepit, o2 impotent, by any casualtie, be so oppressed o2 detained, that he is not by any means able to come befoze the sayd Justices, When two o2 one of the sayd Justices, by the assent of the whole Bench, shall goe vnto him which is so diseased, and shall receive his cognisance vpon the plea, o2 sojns of plea, which he hath in the Kings court, wherupon the sayd fine ought to be leuied, and if there goe but one, he shall take with him an Abbot, a Priore, o2 a Knight, being a man of credit and good name, and shall certifie the J. of the Common Place thereof by their record, So that all thinges incident to the fine being by him o2 them well examined, the same fines may be duly leuied. Carliel. 15. E. 2.

Ch consors
in the fine that
come personally
befoze the
Justices.

A fine taken
by dedimus
potestatem.

2 The order of the law will not permit a final accord to be leuied in the Kings Court, without an originall writ, & that must be at the least befoze iij. Justices of the Bench, o2 in Cite, & not otherwise, and in presence of the parties named in the writ, which be of full age, good memorie, & out of prison. And if a woman which is covert baron, be one of the parties, she it behoueth that she be first examined befoze the sayd four J. and if she do not assent to the fine, it shall not be leuied. Stat. de finibus 18. Ed. 1.

A fine cannot
be leuied forth
out an originall
writ.

A fine leuied
by a woman
covert.

Fines.

A fine pro-
claimed.

3 After the ingrossing of every fine to be leuied in the Kings Court, befoze his Iustices of the Common pleas, of any lands, tenements, or other hereditaments, the same fine shal be openly and solemnly read & proclaimed in the same Court the same Terme, and in thre Termes then next following the same ingrossing in the same Court, at foure seuerall daies in every Terme, and in the same time that it is so read and proclaimed, all pleas shal cease. 1.R. 3. 7. 4. H. 7. 2. 4. All fines with proclamations, from & after the feast of Easter next ensuing, to be leuied in the sayd Court (viz. of the Common pleas) shal be proclaimed onely 4. times, that is to say, once in the Terme wherein it is ingrossed, and once in every of the thre Termes holden next after the same ingrossing. And every fine proclaimed as aforesaid, shal be of as great force & effect in Law to all intents and purposes, as if same had bene 16. times proclaimed, according to the statutes heretofore made. 3. 1. Eliz. 2.

who shall be
concluded by a
fine, and who
not.

4 And the said proclamations so had & made, the said fine shall be a finall end, & conclude as well priuies as Strangers to the same, except women couert (other then be parties to the sayd fine) & euery person then being within age of twenty one yeres, in prison, or out of this Realme, or not of whole mind at the time of the sayd fine leuied, nor party to such fines. 1. R. 3. 7. 4. H. 7. 2. 4.

Every stran-
gers right sa-
ued which he
presently hath

5 Sauing to every person or persons, & to their heires (other then the parties in the said fine) such right, claime, & interest, as they haue to, or in the said lands, tenements, or other hereditaments, time of such fine ingrossed, so that they pursue their title, claime, or interest, by way of Action or lawfull entrie, within five yeres next after the sayd proclamations had and made. 1. R. 3. 7. 4. H. 7. 2. 4.

The right of
strangers sa-
ued, which shal
come to them.

6 And sauing to all other persons, such action, right, title, claime, & interest, in or to the said lands, tenements, or other hereditaments, as first shal grow, remaine, or descend, or come to them after the sayd fine ingrossed, & Proclamation made by force of any gift in the taile, or by any other cause or matter had & made, befoze the sayd fine leuied, so that they take their Action, or pursue their said right & title, according to the law within five yeres next after such Action, right, title, claime, or interest to them accrued, descended, remained, fallen or come: And the said persons & their heires may haue their sayd Action against the ptenor of the profits of the said lands and tenements, and other hereditaments, time of the said action to be taken. 1. R. 3. 7. 4. H. 7. 2. 4.

It is mainte-
nable against
pertenor of the
profits.

The right of
infants, womē
couert, persons
imprisoned,
out of this lād
& not of whole
mind, saued.

7 And if the same persons, at the time of such Action, right, and title, accrued, descended, remained, or come vnto them, be couert baron, or within age, in prison, or out of this Land, or not of whole mind, then their action, right, and title, shal be reserued, and saued to them, and to their heires, vnto the time they come and be at their full age of xxi. yeres, out of prison, within this lād, vncouert, & of whole mind, so that they or their heires take their sayd actions, or other lawfull entrie, according to their right & title, within five yeares next after that they come, & be at their full age, out of prison, within this lād, vncouert, & of whole mind, & y same actions pursue, or other lawfull entrie take, according to the law. But all such persons as be couert baron, not partie to the fine, & euery person being within age, in prison, or out of this land, or not of whole mind, at the time of the said fines leuied and ingrossed, hauing any right or title, or cause of action, to any of the said lands & other hereditaments, they or their heires inheritable to the same, shal take their sayd Actions or lawfull entrie according to their right & title, within 5. yeares next after they come and be of full age of xxi. yeares, out of prison, vncouert, within this land, & of whole mind, and the same actions sue, or their lawfull entrie take and pursue, according to the law. And if they do not take their actions & entrie, as is aforesaid, they & euery of them, & their heires, & the heires of euery of them, shal be concluded by the said fines for ever in like forme as they be that be parties or priuies to the said fines. 1. R. 3. 7. 4. H. 7. 2. 4.

8 Having to every person & persons not partie nor privie to the sayd fine, their exception, to avoid the said fine, by that, that those that were parties to the fine, nor any of them, nor no person nor persons to their use, ne to the use of any of them, had nothing in the lands & tenements comprised in the sayd fine, at the time of the sayd fine leuied. 4.H.7.24.

Exception that the parties to the fine had nothing in the land.

9 Anno 1.R.3.7 it is enacted, that a transcript of the same fine shalbe sent by the said Just. of the Common pleas, to the Just. of Assise of the County where the sayd lands and tenements be, they to cause the sayd fine to be read & proclaimed openly, and solemnly in euery their Sessions of Assise to be holden the same yeare, if Assises do then hold, and all the pleas in the meane time to cease: also a like transcript of the same fine shalbe sent to the J. of peace of the County where the sayd lands and tenements be, they to cause open and solemn proclamation of the said fine to be made at foure severall Sessions of the yeare to be holden the same yeare. The sayd J. of assises, & also J. of peace to certifie the same proclamation to the J. of the common pleas, at the second day of retorne of the terme then next following.

A fine proclaimed at the general assises and quarter Sessions.

10 Cuery fine that shal be leuied in any of the Kings Courts of any shires, lands, tenements, or other possessions, after the manner, use, and formes that fines have bin leuied before the making of these acts, be of like force, effect, & authority, as fines so leuied be, or were before the making of these acts, and euery person shal be at his libertie to leuie a fine at his pleasure, whether he will after the forme contained & ordained in, and by these acts or any of them, or after the manner and forme before time used. 4.H.7.4. 1.R.3.7.

Fines at the common law to be of like force they were.

11 All fines as well heretofore leuied, as hereafter to be leuied before the J. of the Common pleas, of any shires, lands, tenements, or other hereditaments, whereupon the proclamations have not, or shal not by reason of adiournment of any terme by writ be duly made, shal be of as good force, effect, and strength, to all intents, constructions, & purposes, as if any terms heretofore adiourned, or at any time hereafter shalbe so adiourned, had bin holden & kept, fro the beginning to the end thereof not adiourned, & proclamation therein made, according to the same effect of the sayd statute of 4.H.7.13. M.1. Parl.7.

Proclamations not made by adiournment of any terme.

12 All fines which shal be leuied before the Justices of Assises at Lancaster, or before one of them, of any lands, tenements, or other hereditaments lying within the Countie Palatine of Lancashire, which shal be openly read, and proclaimed three severall dayes in the open Sessions in the presence of the Justices of Assise at Lancaster, or one of them, at the same Sessions, that the same fine shalbe ingrossed, and also at the two next general Sessions, that shal be holden in the said Countie, before the J. of Assise of the same Countie, or before one of them, next after the leuying or ingrossing of such sayd fine, at the two general dayes in either of the said two Sessions, after such manner and forme, as is commonly used in the common place at Westminster, shalbe of like force to all intents, as fines being duly leuied with proclamations before the Kings Justices of his Common pleas be or ought to be of 37.H.5.19. And all singular fines which at any time hereafter shal be leuied or knowledged before the Justice or Justices of the Countie Palatine of Durham, so the time being, authorized so that purpose and cause, of any lands, tenements, or other hereditaments, lying or being within the sayd Countie Palatine of Durham, which shal be openly read and proclaimed two severall daies in the open Sessions, in the presence of the Justices of Assises at Durham, or one of the for the time being at the same Sessions, that the same shal be ingrossed, and also that shal be openly read & proclaimed in the presence of the J. of Assise at Durham, or one of them so the time being, at the two general Sessions that shalbe holden in the county Palatine of Durham, before the J. of the same county, commonly called J. of Assises at Durham, or one of the, next after the leuying or ingrossing of such sayd

Fines leuied before the Justices of Assise at Lancaster.

Fines leuied before the J. of Assise at Durham.

Fines.

fine, shal be of like, and of the same force, strength, and effect in the law, to all intents, constructions, & purposes, as fines being duly leuied with proclamations before the D. u. Just. of her Common pleas at West. be ought to be. 5. Eliz. 27. A Stat. not printed.

*Fines leuied
before the high
Just. at Che-
ster, of lands
in Cheshire.*

13 Fines which shall be leuied before the high Justice of the county Palantine of Chester, or before the deputie or lieutenant Justice there for the time being, of any lands, tenements, or other hereditaments, lying within the said county Palantine of Chester, which shall be openly read & proclaimed in several daies in the open Session, in the presence of the J. of the said county Palantine, or before the deputie or lieutenant Justice there, at the same Sessions that the same fine shall be ingrossed, and also at the two next generall Sessions that shall be holden in the said Countie, next after the leuying and ingrossing of such fine at thre several daies, in either of the said two Sessions, after such manner and forme, as is commonly used in the Common place at West. shall be of like force to all intents, as fines being duly leuied with proclamations before the kings Justices of his common pleas be ought to be of. 3. Ed. 6. 28.

*Fines leuied
of lands with-
in the County
of the citie of
Chester.*

14 It shall and may be lawfull to and for all and every person or persons whatsoeuer, upon any originall writ or writs of Covenant, or any other originall writ or writs whereupon fines are or have been usually leuied, to be purchased out of her Highnesse Court of Exchequer, within the Countie Palantine of Chester, returnable before the JP. of the said citie for the time being, in the Portmoot court, to be holden within the said citie, to leue any fine or fines of any lands, tenements, or hereditaments, lying or being within the said Countie of the citie of Chester, before the JP. of the said citie for the time being, in the said Portmoot court, in such manner and forme as fines may be leuied by any lawes or statutes of this realm, before the D. high Justice of her County Palantine of Chester, of lands within the same Countie Palantine: And the JP. of the said citie for the time being, shall from henceforth have full power & authority, to receive & record all & every such fine and fines. And all & every fine and fines, which shall be so leuied, and which shall be openly read & proclaimed before the JP. of the said citie for the time being, in the said Portmoot court, once at the said court day that the said fine or fines shall be ingrossed, & once at every of the nine next court daies of Portmoot to be holden within the said citie, before the JP. thereof for the time being, next after the leuying & ingrossing of such fine or fines, shall be of like force, strength, & effect in the law, to all intents & purposes, as fines duly leuied with proclamations, before her JP. a high Justice of her countie Palantine of Chester, of lands within the same county Palantine, are ought to be of. 43. Eliz. 15.

*Dedimus
potestatem to
receive a Warrant of Attor-
ney in Chester*

15 And whereas the JP. of the said citie for the time being, hath been ever heretofore (for and during all the time whereof the memorie of man is not to the contrary) accustomed in all and every common recoverie or recoveries, suffered before him in the sayd Court of Portmoot in absence of the tenant or tenants, boucher or bouchers, in such recoverie or recoveries, to award and send forth of the said Court, a Writ, Proces, or Precept of Dedimus potestatem, in the name of the Quene that now is, and of her Progenitors, Kings and Quenes of England, for the time being, under the Telle of the sayd JP. for the time being, and sealed with the Seale of his Office, thereby authorizing those to whom the same was directed, or some of them, to receive Warrants of Attorneys from such Tenant, or Tenants, Boucher, or Bouchers, or such Attorney, or Attorneys, as the sayd Tenant, or Tenants, Boucher, or Bouchers, would in his or their place, or places, constitute for him, or them, to appeare in the sayd Court, and to gaine or lose the sayd Lands, Tenements, or Hereditaments, in, or by such Recoverie or Recoveries, demanded, or to be recovered: Be it enacted, That upon

upon all and every such originall writ or writs, hereafter to be purchased out of her highness said Court of Exchequer, as aforesaid, for the leuying of any fine, or fines, within the said Citie of Chester, the dayes of the said Citie for the time being, shall for ever hereafter have full power and authoritie, to award and send forth such like writ, or writs, Procees, or Procepts, of Dedimus potestatem, as is aforesaid, to any two or more sufficient persons, authorizing them, or some of them, to receive and take the acknowledgement of such person, or persons, as shall be willing to lewie such fine, or fines, and by reason of sicknesse, or other reasonable impediment, cannot come in person before the said dayes of the said Citie, for the time being, to make such acknowledgement: And all and every such fine and fines, as upon any such acknowledgement made and certified into the said Court of Portmout, shall be hereafter ingrossed, recorded, and proclaimed, in such maner and forme, as is formerly limited and appointed, before the dayes of the said Citie, for the time being, in the said Court of Portmout, shall be of like force and effect, to all intents, constructions, and purposes, as if the same fine or fines had been personally acknowledged before the said dayes, and ingrossed, recorded, and proclaimed, in such maner and forme, as in and by this present act is formerly appointed and declared.

43. Eliz. 15.

16 Provided alwayes, That fines to be leuyed by vertue of this Act, shall be subject to be reversed, and may be reversed, upon writs of Error, to be sued and prosecuted before the said high Justice of the said Countie Palatine of Chester, as other Judgements given by the said dayes, in the said Portmout Court, may be and have been to be, if there shall be found Error in the same fine or fines.

43. Eliz. 15.

17 All and singular fines, as well heretofore leuyed, as hereafter to be leuyed, before the Justices of the Common Pleas, with proclamation according to the foresaid Statute made the fourth yeare of the raigne of King Henrie the seventh, by any person or persons of full age of twentie one yeares of any manors, lands, tenements, or other hereditaments, before the time of the same fine leuyed in any wise entailed to the person or persons so leuying the same fine, or to any the auncestors or auncestors of the same person or persons in possession, reversion, remainder, or in use, shall be immediately after the same fine leuyed, ingrossed, and proclamations made, avowed, and taken to all intents, a sufficient barre and discharge for ever, against the same person and persons, and their heires claiming the said lands, tenements, or hereditaments, or any parcell thereof, onely by force of any such entaile, and against all other persons claiming the same, or any parcell thereof onely to their use, or to the use of any maner of heire of the bodies of them.

32. H. 8. 36.

18 But this act shall not extend to barre the lawfull entry, title, or interest of any heires or persons, given or accrued to any of the, in, or to any manors, lands, tenements, or hereditaments, by reason of any fine leuyed by any woman, after the death of her husband, contrary to the forme, intent, and effect of the statute made 11. H. 7. 20. of any manors, lands, tenements, or hereditaments, of the inheritance or purchase of the said husband, or of any his auncestors, given or assigned to any such woman in dower, for terme of life, or in taile, in use, or in possession: But the same act made 11. H. 7. shall remaine in full strength, in every clause therein contained, as though this act had not bin made. 32. H. 8. 36. S. Women 1.

19 Neither shall this act extend to any fine heretofore leuyed or hereafter to be leuyed of any lordships, manors, lands, tenements, or other hereditaments, the possessors and owners wherof, by reason of any expresse words contained in any especiall act or acts of parliament made since 4. H. 7. be bounden or restrained from making any Alienations, discontinuance, or other alterations of any of the same manors,

It is

noys,

I Dedimus potestatem to receive a fine in Chester.

The reversal of a fine issued in Chester.

A fine leuyed by tenant in taile, shall be a barre to the heire of his bodie.

Fine leuyed by the wife of the inheritor of her late husband.

A fine leuyed by him which is restrained by parliament

Fines.

nozs, lands, &c. contained in the said fine: But every such fine shall be of such like force & strength in the law, & of none other effect, then the same should have bin, if this act had never been made. 32.H.8.36.

*Fines of lands
whereof the
reversion is in
the R.*

20 Neither shall this act extend to any fine levied by any person of any manors, lands, tenements, or hereditaments, before the time of the levying of the same fine given, granted, or assigned, to the said person, or to any of his ancestors in the tail, by virtue of any letters Patents of H.8. or of any of his progenitors, or by virtue of any Act or acts of Parliament, the reversion whereof at the time of the same fine levied, being in the R. his heirs, or successors: But every such fine shall be of like force and effect, as they were or should have been, if this act had not bin made. 32.H.8.36.

*Exception that
the demandant
or was al-
ways seized.*

21 No Exception, Answer, or Inquisition of the Countrey shall be admitted by any persons, being parties to any fines, or by their heirs to avoid and defeat such fines, in alleging that before the fine levied, at the levying thereof, and since the fine levied the demandants or plaintiffs or their ancestors were always seized of the land contained in the fine, or of some parcell thereof. Stat. de finibus 27.Ed.1.1.

*Enrolment of
fines and re-
coveries.*

22 Every writ of covenant and other writ, whereupon any fine heretofore hath been levied, or hereafter shall be levied, the returne thereof, the writ of Dedimus postestatem, made for the knowledging of any of the same fines, the returne thereof, the concord, note, & foot of enerie such fine, the proclamations made thereupon, & the R. silver, and also every originall writ of entry in the post, or other writ, whereupon any common recovery hath bin suffered, or hereafter shall be suffered or passed, the writs of Sum. ad Warrantiz. the returns of the said originals, & writs of Sum. ad Warrantizand. and every warrant of Attorney, had, or to be had, aswell of enerie demandant & tenant as bouché extant & remaining, or that shall be extant & in being, may upon the request or election of any person be enrolled in rolls of parchment by such persons, & for such considerations as hereafter in this act shall be mentioned: & the Enrolments of the same, or of any part thereof, shall be of as good force & validity in law to all intents, so much of any of them so enrolled, as the same being extant and remaining were or ought by law to be. 23.Eliz.3.

*For what er-
rors, fines, &
recoveries
are not re-
versible.*

23 No fine, proclamations upon fines, or common recoverie heretofore had, levied, suffered, or passed, or hereafter to be had, levied, suffered, or passed, shall be reversed or reversible by any writ of Error, for false or incongrue Latin, rasure, interlining, misentring of any warrant of Attorney, or of any proclamation, misreturning, or not returning of the Sheriffs, or other want of forme in words, and not in matter of substance. 23.Eliz.3.

*What persons
may have
writs of error
to reverse fines
and in what
cases.*

24 Provided always, that this act, nor any thing therein contained, shall barre or exclude any person or persons from any writ of Error, which shall be had, taken, or pursued, within five yeares next after the end of the Session of this present Parliament, upon any fine or recoverie heretofore had or suffered: Nor from any writ of Error which shall be had, taken, or pursued, upon any fine or recoverie, heretofore levied, knowledged, or had, which fine or fines, recoverie or recoveries, or any part or parcell of them, or any of them, now is, or at any time before the first day of June, which shall be in Anno Dom. 1582. shall be exemplified under the great Seale of England, at and by the suit of any person, that is, or may be intitled to have or sue any writ of Error upon any the fines or recoveries heretofore passed: Nor to barre any feme covert, or any person within the age of xxi. yeares, or any person that is non Compos mentis, in prison, or beyond the Seas, or from any writ of Error to be had or prosecuted, for the reversing of any fine or recovery heretofore passed, levied, or suffered: so that such feme covert, or her heirs, within vij. yeares next after that she become sole, & such person within the age of xxi. yeares, or his

his heires, within viij. yeares next after he shall come & be of full age of xxi. yeares, And such person that is non Compos mentis, within viij. yeares next after he shall become of sane memorie, & in default thereof, the heires of such person that is non Compos mentis, within 7. yeares next after the death of such person being non Compos mentis, And such person in prison, or his heires, within viij. yeares next after the same person shall be at liberty, And such person beyond the seas, or his heires, within viij. yeares next after the returne of such person into this Realme of England, or the death of the sayd person, if he shall before his returne die in any forreine Country, shall sue, take, and prosecute their writs of Error, as their cases severally shall require, for recovering of any of the said fines or recoveries, heretofore passed, levied or suffered. 23. Eliz. 3.

24. Provided alwayes, that if any person or persons shall within the time and yeares afoze mentioned, commence or sue his or their writs of Error for the recovering of any the said fines or recoveries heretofore passed, which suit shall fortune to abate by the death of any the parties to the same, When it shall and may be lawfull for his and their heires, at any time within one yeare next after the sayd seven yeares expired, to have, sue, and take their writ of Error, for the recovering of everie such fine & recovery. And if such heire be an infant, within the age of xxi. yeares, then within one yeare next after the full age of such infant: any thing in this act. notwithstanding. 23. Eliz. 3.

25. Every person that shall at any time hereafter take the knowledge of any fine, or warrant of Atturney, of any tenant or voucher, for suffering any common recovery, or shall certifie them or any of them, shall with the certifiat of the concord or warrant of Atturney, certifie also the day & yeare wherein the same was knowledged. And no person that taketh any such knowledge of any fine or warrant for any recovery, shall be bounden, or by any meanes enforced to certifie any such knowledge, or warrant, except it be within one yeare next after the said knowledge takē, and no Clarke or officer shall receive any writ of covenant, or writ of Entry, whereupon any fine or common recovery is hereafter to passe, unless the day of the knowledge of the same fine & warrant shall appeare, in, or by such Certifiat, upon pain that everie Clarke that shall receive any such writ, shall forfeit for every time that he shall so offend v. l. And no Atturment in, or upon any fine shall be entred upon record, except the party mentioned to atturney therein, first haue appeared in the court in person, or by atturney warranted by the hand of one of the J. of the one Bench, or the other, or of one J. of A. W. upon a writ of Quid iuris clamat, Quem redditum reddit, or Per que servitia, as the case requireth. And every entry of Atturment hereafter to be made, where there shall be no apparance as afoze is said, shall be utterly void, and of none effect, without any writ of Error, or other meanes to be used for avoyding thereof. 23. Eliz. 3.

26. Where shall be for ever one Office for the inrolment afoze said, which shall be & continue an office for ever, called the Office of Inrolments of writs for fines and recoveries. And the Justices of the Common pleas for the time being (other then the chiefe Justice) shall have & take the care & charge, of, and for the Inrolments afoze said, & shall have & enjoy the said office, & the disposition thereof, & carefully see & looke to the execution thereof. And in consideration of their charges, paine, & travell therein, shall have & take the summes of money hereafter following, and no more: That is to say, for the Inrolment & examination of every fine, & the parties thereof before mentioned, the summe of vi. s. viij. d. And for the inrolment of the said parts of everie recovery, & the examination thereof, vi. s. viij. d. And for every exemplification of the Inrolment of any fine v. s. And for the exemplification & returnes of every writ of Entry, Summons ad warrantandum, and Warrant, v. s. And for the search of the Rolls of one yeare, iij. d. And for the copy of one sheet of paper, containing

A remedie for
a heire, where
the ancestor
dieth, hanging
the suit.

The day and
yeare of the
knowledge of
a fine, or war-
rant of Attur-
ney.

Atturment.

The office of
Inrolments.

For a for in-
rolment of
fines and re-
coveries.

Fines.

taining 14. lines, iij. d. And the said J. or one of them, shall examine the Inrolments of every such fine, & parts of Recoveries, & forthwith after examination thereof, and immediately after the Inrolment of every such fine & parts of Recoveries, write his name that so examineth, with his owne hand in the rol thereof, upon pain that the said J. shall forfeit to the D. u. b. l. for every time that they, or some one of them, shall make default of such examination or writing of his or their name, as aforesaid is sayd. And it shall & may be lawfull to & for the Justices of the said Court of common pleas, from time to time, to take order in all things that shalbe convenient & needful for the Inrolments aforesaid: And upon examination in the said Court to assesse such fine or amercement, upon any clerk, scribe, deputie, attorney, and other person, for his and their misprision, contempt, and negligence, for not doing, or misdoing in any thing, or in, or concerning the said fines & recoveries, or any part of them, or either of them, as by the said J. of the said Court of Common pleas for the time being, shall be thought meet & convenient: the said fine & amercement to be effreated amongst the fines & amercements of that Court where such offence or misprision shalbe committed. 23. Eliz. 3.

3 Setting of fines for misprision, contempt, or negligence.

3 Table containing the content of every fine shalbe set up in the Common place, and at the generall Assises.

27 The Chirographer of Fines of the Common Pleas for the time being, for ever shall write and make, or cause to be written & made for every County, where her shallicies writt runneth, one Table, wherein shalbe contained such contents of every fine, that shall passe in any one Terme, as hereafter is mentioned: That is to say, the name of the Countie, wherein the tenements mentioned in any fine be, the name of every plaintiffe and deforciant, and of every man named in the fine, if any such be, and of the towne and places where the tenements in such fine comprised doe lie. And the first day of the next Terme, after the ingrossing of every such fine, shall fixe everie of the sayd Tables upon some open place of the Court of Common pleas, and so every day of the said Terme during the time of sitting of the said Court. And the sayd Chirographer shall deliver to every scribe of every Countie, his Underwrite or Deputie, faire written in parchment, a perfect content of the Table, so to be made for that shire, in the Terme that shall be next before the Assises be holden in the sayd Countie, or else meane betwene that Terme and the sayd Assises. And everie such scribe to whom such parchment with the contents aforesayd, shall be delivered the first day of the next Assises after the deliverie thereof unto him, and everie day during the sayd Assises, shall fixe and set up the same writing undefaced, in some open place in the Court where the Justices of the Assise of that Countie shall sit, and shall fixe the same to continue there, during such time as the said J. shall sit there in Court, upon paine that everie Chirographer and scribe, offending against any thing in this act contained, shall forfeit to the D. u. and J. b. l. to be recovered in any Court of Record, wherein no C. p. or W. shall be allowed. And the Chirographer for the time being, shall have and take for everie such content of every fine so set downe in the Table aforesayd iij. d. 23. Eliz. 3.

The Chirographer his fee for the content of a fine.
Earle of Kent his title.

28 And soasmuch as upon great examination it appeareth, that divers fines and Recoveries have ben heretofore levied and suffered of divers manors, messuages, Lands, tenements, and Hereditaments, which sometime were the inheritances of George, sometime Earle of Kent, great Grandfather to Henry now Earle of Kent, in use, possession, reversion, or remainder, whereunto the said now Earle of Kent, pretendeth title, in use, possession, reversion, or remainder, which if they be eronious, as is pretended, doe much varie from the generall cause and mischiefe, for which this Statute meaneth to provide: Therefore this Statute nor any thing therein contayned, shall extend to take away any writ of Error, whereunto any person or persons is now, or hereafter shalbe lawfully intituled for the reverting of the sayd fines and Recoveries, or any of them heretofore levied or suffered of any of

of the said manors, messuages, lands, tenements or hereditaments, which late were any part or parcell of the inheritance of the said George, sometime Earle of Kent, in life, possession, reversion, or remainder: any thing in this Stat. to notwithstanding. 23. Eliz. 3.

29 It shall & may be lawfull for the J. Clerkes authorized by their warrant in the said severall offices & places, where the same Records, or any of them, do or shall remaine, to write out or inroll the same Records, & every part thereof, without any thing to be payed therefor: And the said Records, nor any of them, for the writing out, or making the rolls thereof, by the Clerks of the said Justices, other wise then for the examination thereof by the J. shall be brought, or carried forth of the said offices or places. 23. Eliz. 3.

Records are not to be removed forth of the office.

30 None of the Fines or Recoveries heretofore leuied, passed, or suffered, which shall be exemplified under the great Seale, according to the forme of this Act, shall after such exemplification had, be in any wise amended. 23. Eliz. 3.

No fines or recoveries amended, after exemplification Involment of fines & recoveries in Wales, & the Countie of Palantine.

31 Euerie Writ of Covenant, and other writ whereupon any fine heretofore hath bene leuied, or hereafter shall be leuied, the returne thereof, the writ of Dedimus possidemus, made for the acknowledging of any of the same fines, the returne thereof, the concord, note and suit of euerie such fine, the Proclamations made thereupon, and the R. & d. and also euerie original writ of Entre in the Post, or other writ whereupon any common recovery hath bene suffered, or hereafter shall be suffered or passed, the writ of Summons ad warrantizandum, the returnes of the said originals, and writs of Summons ad warrantizandum, and every warrant of Attorney, had, or to be had, as wel of euerie demandant and tenant, as of the defendant and remainning, or that shall be extant and being in the Courts of Assises or great Sessions, within the shires of Wales, Towne and Countie of Denbigh West, and Counties Palantine of Chester, Lancaster, and Duresme, or in the custodie of the Officers to whom the charge of keeping thereof both appertaine, may upon the request or elation of any person, or persons, be inrolled in rolls of Parchment, by such persons, and for such considerations, as hereafter in this act shall be mentioned: And the Inrolments of the same, or any part thereof, shall be of as good force and valuerie in law, to all intents, respects, and purposes, for so much of any of them so inrolled, as the same being extant and remaining, were or ought by Law to be. 27. Eliz. 3.

32 No fine, proclamation upon fines, or common recoveries, heretofore had, leuied, suffered, or passed, or hereafter to be had, leuied, suffered, or passed in any of the said shires of Wales, towne & countie of Denbigh West, or Counties Palantine, shall be reversed or reuerfable by any writ of Error, for false or incongruous Latine, Misure, Interlining, Misentering of any warrant of Attorney, or of any proclamation, Misreturning, or not returning of the Sheriffe, or other want of forme in words, and not in matter of substance. 27. Eliz. 3.

For what Errors, fines & recoveries are not reverseable.

33 Provided alwayes, that neyther this act, nor any thing therein contained, shall barre or exclude any person or persons from any writ of Error, which shall be had, taken, or pursued within five yeares next after the end of this Session of this present Parliament, upon any fine or recovery heretofore had or suffered in any of the Courts aforesaid: & or from any writ of Error, which shall be had, taken, or pursued upon any fine or recovery heretofore leuied, acknowledged, or had, in any of the Courts aforesaid, within any of the said shires of Wales, or Town and Countie of Denbigh West: Which fine or recovery, or any part or parcell thereof now is, or at any time before the first day of June, which shall be in the yeare of our Lord God 1587, shall be exemplified under the iudiciall Seales of the said Courts, at or by the suit of any person that is or may be intituled to have or sue any writ of Error, upon any the same fines or recoveries so heretofore passed:

In what cases writs of Error shall be allowed.

sed:

Fines.

led: *¶* So from any *Writ* of *Error*, which shall be had, taken, or pursued upon any *Fine* or *Recovery* heretofore leuyed, knowledged, or had in any of the Courts aforesaid, within any of the said Counties *Palantine*, which *Fine* or *Recovery*, or any part or parcell thereof now is, or at any time before the said first day of *June*, which shall be in the yere of our *L. 0.20. God* 1585. shall be exemplified vnder the Seale of the same county *Palantine*, where the same *Fine* or *Recovery* shall be so leuyed, knowledged, or had, at, or by the suit of any person that is or may be intituled to haue or sue any *Writ* of *Error*; vnder the same *Fine* or *Recovery* so heretofore passed: *¶* So to haue any *Feme* couert, or any person within the age of twenty one yeaeres, or any person that is *Non compos mentis*, in prison, or beyond the seas, or from any *Writ* of *Error* to be had or prosecuted for the reuerling of any *Fine* or *recovery* heretofore passed, leuyed, or suffered in any of the said twelve Shires of *Wales*, *Towne* and *Countie* of *Hauersford West*, or Counties *Palantine*: So that such *Feme* couert or her heires within seauen yeres, next after that she become sole, And such person within the age of twentie one yeaeres, or his heires within seauen yeres next after he shall come and be of full age of twentie one yeaeres. And such person that is *Non compos mentis*, within seauen yeaeres next after he shall become of *Sane* memorie, and in default thereof, the heires of such person that is *Non compos mentis* within seauen yeaeres next after the death of any such person, having *Non compos mentis*. And such person in prison, or his heires within seuen yeaeres next after the same person shall be at *Libertie*, And such person beyond the Seas, or his heires within seauen yeaeres next after the returne of such person into this *Realm* of *England*, or the death of the said person, if he shall before his returne die in any *foraine* Countrie, shall sue, take, and prosecute their *Writs* of *Error*, as their causes shall severally require for reuerling of any of the said *Fines* or *Recoveries* heretofore passed, leuyed, or suffered. 27. *Eliz.* 9.

*A remedy for
a heire, where
the Dancett
dieth, hanging
the suit.*

34 If any person or persons shall within the time and yeaeres aforesaid, com-
mence or sue his or their *Writs* of *Error*, for the reuerling of any of the said *Fines*
or *Recoveries* heretofore passed, which suite shall fortune to abate by the death of
any of the parties to the same: Then it shall and may be lawful for his and their
heires at any time within one yere next after the said seuen yeres expired, to haue,
sue, and take their *Writ* of *Error* for the reuerling of every such *Fine* and *Reco-*
uerie. And if such heire be an *Infant* within the age of 1. yeaeres, then within one
yere next after the full age of such *Infant*: any thing in this act ec. notwithstanding.
27. *Eliz.* 9.

*The day and
yeare of the
knowledge of
a fine or war-
rant of Attor-
ney for a reco-
uerie shall be
certified.*

35 Every person that shall at any time hereafter take the knowledge of any
Fine, or warrant of *Attorney*, of any tenant or vouches for suffering any common
Recovery to be leuyed, knowledged, passed, or had, within any of the said twelve
Shires of *Wales*, *Towne* and *Countie* of *Hauersford West*, or Counties *Pa-*
lantine, or shall certifie them, or any of them, shall with the *Certificat* of the *Con-*
cord, or warrant of *Attorney*, certifie also the day and yere wherein the same was
acknowledged. And no person that taketh any such knowledge of any *Fine* or war-
rant for any recovery, shall be bound, or by any means enforced to certifie any such
knowledge or warrant, except it be within one yere next after the said knowledge
taken. And no *Clerke* or officer in any of the said twelve Shires of *Wales*, *Towne*
and *Countie* of *Hauersford West*, or Counties *Palantine*, shall receive any *Writ*
of *Covenant*, or *Writ* of *Entrie*, or any other *Writ*, whereupon any *Fine* or com-
mon *Recovery* is hereafter to passe, vntill the day of the knowledge of the same
Fine and warrant shall appeare, in, or by such *Certificat*, upon payne that every
Clerke that shall receive any such *Writ*, shall forfeit for euery time that he shall so
offend, the summe of *xl.s.* And no *Attorney*, in, or upon any such *Fine*, in any
the Courts aforesaid, shall be entred upon record, except the parties mentioned to at-
turne

Attournement.

turne therein, first haue appeared in þe Court in person, or by Atturney warranted by the hands of one of the Iustices of the same Court, vpon a Writ of Quid iuris clamat, Quem redditum reddit, or Per quæ seruitia, as the cause requireth. And euerie entrie of Atturment hereafter to be made in any of the Courts aforesayd, wherein there shall be no apparance, as aforesaid, shall be vtterly void, and of none effect, without any Writ of Error, or other meanes vsed for auoiding thereof. 27. Eliz. 9.

36 There shall be for euery an office for the Inrolments aforesaid in euery of the said twelue Shires of Wales, Towne and Countie of Hauerford West, & Counties Palantine, which shall be and continue an Office for euery, called the Office of Inrolments of Fines and Recoueries. And the Iustices of the sayd twelue Shires of Wales, towne and countie of Hauerford West, and counties Palantine for the time being, that is to wit, euery of them within the limits and p̄cincts of their seuerall authoritties and Commissions, shall haue and take the care and charge, of, and for the inrolments aforesayd, and shall haue and enioy the sayd Office, and the disposition thereof, and carefully see and looke to the execution thereof. And in consideration of their charges, paine, and trauell therein, shall haue & take the summes of money hereafter following, and no moze: that is to say, for the inrollment and examination of euerie fine, and the parts thereof v. s. And for the inrollment and examination of euerie recouerie, and the parts thereof v. s. And for euerie exemplification of the inrollment of euerie fine and the parts thereof iij. s. iij. s. And for euery exemplification of the inrollment of euerie recouerie, and the parts thereof of iij. s. iij. s. And for the search of Rolles for one yeare iij. s. v. And for the Copie of one sheet of Paper containyng iij. lynes, iij. s. v. And the Iustices of the sayd Courts of Assises, or great sessions for the time being, within the said twelue Shires of Wales, Towne and Countie of Hauerford West, and Counties Palantine, or any one of them within the seuerall limits and p̄cincts of their sayd seuerall Commissions, shall examine the Inrollment of euery such fine and Recouerie, and of the parts thereof, and after such examination of the inrollment of euery such fine and Recouerie, and of the parts thereof, shall immediatly write his name that so examineth, with his owne hand in the rolle thereof, vpon payne that the sayd Iustices shall for, to the Shire the summe of xl. s. for euery time that they or one of them shall make default of such examination or writing of his or their name, as is aforesaid. And it shall and may be lawfull for & for the said Iustices, or any of the for the time being, to take order in all things that shall be conuenient & needfull for the inrollments aforesayd. And vpon examination in the sayd Courts, to asseesse such fine or amercciament vpon any theife, clerk, deputie, atturney, or other person for his & their misprision, contempt, & negligence for not doing, or misdoeing in any thing, of, in, or concerning the said fines or recoueries, or any part of them, or eyther of them, as by the said J. for the time being, or any one of the shall be thought meet & conuenient. The said fine & amercciament to be estreated amongst other fines & amercciaments of þe court where such offence or misprision shall be committed. 27. Eliz. 9.

The office of Inrolments.

Fees for inrolments and exemplifications of fines & recoueries.

Assessing of fines for misprision, contempt, or negligence.

37 The exemplification of any such inrollment of any fine, or recouery, or of any part thereof, within any of the said twelue Shires of Wales, or of the said town and Countie of Hauerford West, vnder the iudiciall seale of the said Shire, Towne, or Countie, where such fine or recouerie was leuied, had, or passed, & the exemplification of any such Inrollment of any fine or recouerie, or of any part thereof, within any of the sayd Counties Palantine, vnder the Seale of that County Palantine where such fine or recouerie was leuied, had, or passed, shall be of as good force & validitie in the law, to all intents, respects, & purposes, for such part, & so much of any of them, as shall be so exemplified, as the very originall recozd it selfe being extant & remayning, were, or ought by Law to be. 27. Eliz. 9.

The exemplification of as good force, as the originall recozd.

Fines, Fish, and Fishers.

Records shall
not be remo-
ved forth of
the offices.

38 It shall be lawfull for the Iustices Clerkes, authorized by their warrant in the said severall offices & places, where the same records, or any of them, do or shall remaine, to write out, or inroll the same records, & every part thereof. And the sayd records, nor any of them, for the writing out, or making of the rolls thereof, by the Clerkes of the said Iustices, shalbe brought or carried forth of the said offices or places. 27. Eliz. 9.

Pro amende-
ment of fine or
recovery after
exemplificatio

39 None of the said fines or recoveries aforesaid heretofore leuyed, passed, or suffered, which shal be exemplified vnder any iudiciall seale of any of the sayd Shires of Wales, or towne or county of Haverford West, or vnder the seale of any of the said counties Palantine, according to the forme of this act, shall after such exemplifications had, be in any wise amended. 27. Eliz. 9.

Lord Powys
Herbert.
Wernon.

40 This Act or any thing therein contayned, shall not in any wise extend to the prejudice of the heires of Sir Edward Grey Knight, Lord Powys deceased, or of Sir Edward Herbert Knight, or his heires or assignes, Henrie Wernon, or John Wernon, Esquires, or their heires or assignes, for, or concerning any fine leuied, or recovery suffered, by, or against the said Lord Powys, of any Baronies, Honors, Mannors, Lands, Tenements, or Hereditaments, in the Countie of Mountgomerie, or any exemplification thereof, or for, or concerning any writ of Error brought or to be brought for the reuerling of any such fine or recovery: But they and euerie of them shall haue and enioy the same right, title, benefit, and aduantage, to all intents and purposes, as if this act had neuer bin had or made. 27. Eliz. 9.

The Earle
of Kent.

41 And soasmuch as vpon great examination it appeareth, that diuers fines and recoveries haue bin heretofore leuied and suffered of diuers Castles, Mannors, Mesuages, Lands, Tenements, and Hereditaments, which sometime were the inheritance of George sometime Earle of Kent, great Graundfather to Henrie now Earle of Kent, in vse, possession, reuerlion, or remainder, whereunto the sayd now Earle of Kent ppretendeth title, in vse, possession, reuerlion, or remainder, which if they be erroneous, as is pretended, doe much varie from the generall cause and mischiefe, for which this stat. meaneth to prouide: Wherefore this stat. nor any thing therein contayned, shall not extend to take away any writ of Error, whereunto any person or persons is now or hereafter shall be lawfully intituled to haue for the reuerling of the said fines and recoveries, or any of them heretofore leuied or suffered of any of the said Castles, Mannors, Mesuages, Lands, Tenements, or Hereditaments, which late were any part or parcell of the inheritance of the said George sometime Earle of Kent, in vse, possession, reuerlion, or remainder: Any thing in this Statute &c. notwithstanding. 27. Eliz. 9.

1 Writs of couenat and all other writs may be sued for fines, to be leuied of any Ecclesiasticall profit. S. Tythes 23.

2 The fee of the Chirographer of the common place for a fine leuied. See Chirographer 1.

3 Writs shalbe enroled whereupon fines shalbe leuied. S. Chirographer 2.

4 For the leuying of fines in Wales, making the Proclamations, and paying the Kings Siluer, and other Fines. S. Wales 21. 22. 23.

Fish, and Fishers.

Taking of
Salmons.

Who soeuer taketh Salmons in any water, wherein Salmons be commonly caught, from the Patinitie of our Lady vntill Saint Martins day (except in the Countie of Lancaster, where they may be taken at all times, saving betwixt Michaelmas and Candlemas) or taketh or destroyeth by nets or other engines

gines young Salmones at Mill Poles, or in any other places, from the midst of April, until the feast of Saint John Baptist, or doth put in any waters of this Realme, at any time of the yeare, any nets or engines whatsoever, by the which the frise or breed of Salmones, Lampreyes, or other fish, may in any wise be taken or destroyed, shall for the first offence have his nets burned, for the second be imprisoned a quarter of a yeare, and for the third a whole yeare, and so further, as the trespass increase: Which punishments for offences in fresh waters, shall be executed by Conservatores Sworne. 13. Ed. 1. 46. 13. R. 2. 19. The Justices of Peace shall be Conservatores of this Statute in the Counties where they be Justices, and they shall appoint under Conservatores, which shall be Sworne. And if any be convicted of an offence committed contrarie to this Statute, he shall be imprisoned, & make fine at the Just. discretion. And the Mayor of London shall have the conservation of this Statute in the Rivers of Thames and Medway. 17. R. 2. 9. S. Justices of Peace 41.

Conservatores

2 If the Admirall, or any Officer or Minister of the Admiraltie, shall exact, receive, or take, by himselfe, his servant, or deputie, of any Merchant, or Fisherman, any summe of money, doles, or shares of fish, or any other reward or benefit, for any licence to passe this Realme into Ireland, New found Land, Ireland, or other places commodious for the getting of fish, or for any other respect concerning the sayd voyages, he shall forfeit for the first offence treble the summe or value of the reward so taken, to the King and Informer &c. to be recovered by A. J. &c. wherein no W. &c. E. P. &c. and for the second offence shall lose his Office, and make fine at the R. pleasure. 2. Ed. 6. 6.

Exactions on them which travell for fish.

3 Whosoever doth by any Engine, Cautell, wayes or means whatsoever, take and kill any young Wood, Spawne, or frise of any fish, in any Flood, Spawne, gate, Pipe, or the tale of any Mill, Weare, or in any Straites, Streames, Brooks, Rivers, salt or fresh: Or shall take in any of the foresayd places, Kipper, or Spender Salmones or Trout, not being in season, shall forfeit for every offence twentie shillings, the fish so taken, and the Nets, Engines, &c. wherewith he took the same. 1. Eliz. 17.

Taking of

Taking of Salmones or Trout not seasonable.

4 Whosoever doth take and kill any Pickerell, not being in length tenne ynches fish, or moze, or any Salmon not being sixtene ynches, or any Trout not being eight ynches, or any Barbell, not being in length twelue ynches, or moze: Or doth fish with any Net, Trawl, Kepe, Moe, Hivie, Crele, or other Engine or devise, but onely with Net or Trawl, whereof everie Mesh shall be two ynches and a halfe broad (except Angling, and saving for the onely taking of Smelts, Loches, Spinowes, Bulheads, Gudgeons, and Celes, in such places where they have bene used to be taken and killed) shall forfeit for everie offence xx. s. the fish so taken, and the unlawfull Nets and Engines wherewith he took the same. 1. Eliz. 17.

The length of fish which may be taken.

Of what mesh each net ought to be.

5 Provided, That this Statute extend not to the fishing of the River of Uwe, Twer, Wisk, or of any water, whereof the D. is answered any yearly rent or profit, nor to the wye. owners, farmers, or occupiers of the river of Wisk, or Wye, in the Countie of Spommouth. 1. Eliz. 17.

6 The Lord Admirall of England, Mayor of London, and everie other person or persons, Bodies Politike and Corporat, which have or ought to have any conservation of any River, Streame, or Water, or punishment of offences committed in any of them, hath authoritie to enquire by the oathes of twelve men, or moze, and to heare and determine all the offences committed contrarie to the true meaning of this Act, within his jurisdiction. 1. Elizab. 17. 1. Jac. 25. To continue to the end of the first Session of the next Parliament. S. Leets 6. Justices of Peace 40.

Fish and Fishers.

**Destroying of
poles of fi-
shing.**

7. Whosoever shall by day or night unlawfully without authoritie, breake, cut downe, cut out, or destroy the head or damme of any pond, poul, poole, stagne, steele, or severall pit, wherein fish are or shall be put, or dyed by the owner or possessor thereof, or doe, or shall unlawfully fish in any of the said severall ponds, poul, or to the intent to destroy, kill, take, or steale away any of the same fish, against the will of the owner or possessor of the same, not having lawfull authoritie to so doe, and being thereof lawfully convicted at the suit of the owner, or of the partie grieved, shall pay to the partie grieved his treble damages, suffer imprisonment thre monethes, and then shall find sufficient suretie for his good abearing againe the M. and all her liege people, for the space of seven yeares after, or else shall remaine in prison without baile or mainprise, untill he hath found sufficient suretie. And it shall be lawfull for the partie grieved to sue and take his further remedie against everie such offender, for his losse and damages before the Justices of Peace, Justices of Assise, and Justices of Oyer, or elsewhere, in any other the M. Courts of Record, and upon satisfaction, or confession of the damages, to release to the offender the suretiship of good abearing at any time within the seven yeares. 5. Eliz. 21. S. Just. of Peace 34.

**Packing of
Salmon, and
the contents of
the vessels.**

8. Whosoever selleth or putteth to sale any Salmon, by Butte, Barrell, halfe Barrell, or other vessel, before it be seene, except the butte do containe eighte score Gallons, the Barrell fortye thousand, the halfe Barrell one and thientie Gallons, well and lawfully packed, shall forfeit for every vessel so lacking the aforesaid, vi. s. viij. d. And he that doth not packe the great Salmon by it selfe, and the small fish called Grils by it selfe, but doth mingle the great Salmon with the Grils, or broken bellies Salmon, shall forfeit for every vessel so packed and put to sale, vi. s. viij. d. 22. Ed. 4. 2. 11. H. 7. 23.

Herrings.

9. Whosoever putteth to sale any Herring by Barrell, halfe Barrell, or Fitchin (except the Barrell containe thientie Gallons, the halfe Barrell and Fitchin after the same rate) and that the Herring be of one tuns making and cutting, and except it be well and lawfully counted and packed at the murther, every end and part thereof, shall forfeit for every offence thre shillings four pence. 22. Ed. 4. 2. 11. H. 7. 23. But the assise of viij. Gallons of Wiltine measure, which is about xvij. Gallons by old Standard, well packed, and containing in every Barrell a thousand full Herrings at the least, shalbe taken for true and lawfull assise of Herring Barrels. 13. Eliz. 11. S. 3. Ed. 3. That Herring be accounted a hundred and ten thousand a last.

Eeles.

10. Whosoever putteth to sale Eeles, except the Barrell doe containe xij. Gallons, the halfe Barrell and Fitchin after the rate, or mingleth, packeth, and putteth to sale any Eeles, Gullbeaters, or eels, or slipped Eeles, with good Eeles, shall forfeit for every such offence x. s. 22. Ed. 4. 2. 11. H. 7. 23.

**How fish shall
be packed.**

11. Whosoever putteth to sale any barrelled fish, except the countable fish, called Tale fish, be packed by it selfe, and the small fish called Grils by it selfe, without mixture of them, and without packing of fish with broken bellies with Tale fish, or small fish: Or both lay Tale fish, or small fish, double in packing: Or packeth any Tale fish, which doth not containe in length from the bone in the sinne, to the third joynt of the taylor, or thientie inches at the least: Or packeth any the napes whereof be longer than to the little bone, which is upon the great sinne, or which fish is not splatted belowe, or opened to a handfull of the taylor, or the bone whereof is not taken away to the navel of the same fish, shall forfeit ix. s. iij. d. for every Barrell which shalbe found not packed, sorted, mixt, naped, laid double, or not boned, as is aforesaid, or the one mottie of which fish forfeitures shal be to the M. & the other to him or them that will seize or sue for the same, by A. B. P. wherein no W. C. P. or. 22. Ed. 4. 2. 11. H. 7. 23.

12 Every Gauger, Packer, and Searcher, shall take no more for gauging of a Barrell of Salmon, Herring, Fish, Eeles, halfe Barrell, and firkkin, than for every pottle. and for his labour for searching and packing (if need bee) of a Barrell of Salmon, four pence to head, a pennie, and for boring, naping, and packing of a Barrell of Fish (if need bee) a pennie, and for searching and packing of a Barrell of Herring (if need be) two pence, and for searching and packing every Barrell of Eeles, two pence. And so in halfe Barrells and firkkins of Herrings and Eeles, they shall take according to the former rate. And if any Gauger, or Searcher, or Packer, doe the contrarie, he shall lose his Office, and also be imprisoned fortie dayes. But the said Searcher, or Packer shall receive nothing of the sayd fees, by colour of their Office, but onely for such Butts, Barrells, &c. as by them shalbe sufficiently searched and packed, and were not sufficiently packed before. 11. H. 7. 23. S. Corporations. 8. 14.

what the Gauger shall take for packing of fish.

13 It is not lawfull to any person to buy of any stranger bozne out of the D. u. obedience, or out of any strangers bottomes, any Herring being not sufficiently salted, packed, and casked (Herrings brought into this Realme by reason of shipwreck onely except) upon payne to forfeit the Herrings so bought, or the value thereof. 5. Eliz. 7. no fish shal be sold here.

what Herrings may be bought of strangers.

14 It do not lawfull to any person to bring into this Realme any Cod or Ling in Barrells, or other Caskes, but lose in bulk, and by tale, to be sold within the Realme, upon payne to forfeit all the Cod and Ling, &c. or the value thereof. 5. Eliz. 7. c. 25. To continue till the end of the first Session of the next Parliament.

Cod & Ling shalbe brought into this Realme.

15 No fish taken or brought into this Realme by any stranger, nor any fish commonly called Scottish fish, or Flemish fish, shall be dyed within England, to be sold, upon payne of forfeiture of all such fish, or the value thereof, which forfeiture shall be to such person dwelling at any Port where is any Port, Pier, or Haven, as will serve the same, or sue for the value in any Court of Record, to be employed to the repayre and maintenance of such Port, Ware, or Haven, as is next to the place where the offence shall be done. 13. Elizabeth. 11.

fish brought in by strangers, shall not be dyed in England.

16 No Herring shall be bought or sold on the Sea, untill the Fishers be come to the Haven with their Herrings, and that the Cable of their Shippe be drawn to the land, and the sale of them shall be from the Sunne rising untill the Sunne setting, and not before, nor after, upon payne of forfeiture thereof. 31. Edw. 3. 1.

The sale of Herrings.

17 It shall and may be lawfull for all and every the D. u. subjects, being owners of any Shipps, Barks, or Vessels sayling with cross sayles, to receive and take into their sayd Shipps, or ec. any Herrings, or other fish, which any Alien or stranger shall buy and provide of any of the D. u. subjects within this Realme, and the same Herrings and fish, or any of them may transport into any parts beyond the Seas, being in league or amitie with the D. in their ships or vessels with cross sayles, so as the sayd Aliens or strangers pay to the D. her customes and duties for the same. 39. Eliz. 10.

The D. u. subjects may transport fish.

18 All Aliens and strangers shall from time to time pay to the D. u. for all salted fish, and salted Herrings, to be brought into this Realme all such like customes and impositions as are and shall be imposed or set upon the D. u. subjects in those severall Regions and Countreies, Ports, and Townes, from whence the sayd salted fish, and salted Herrings, shalbe shipped and brought for the like fishes & Herrings, one and besides the ordinary customes which have bene payed to the D. u. for the same. 39. Eliz. 10.

what customs Aliens shall pay for fish.

19 If any alien or stranger bozne, or any denizen, or naturall bozne subjects of this

Fish, and Fishers.

**Bringing in
unseasonable
fish.**

this Realme, shall bring into any haven, port, cricke, or town of this Realme, any salt fish, or salt Herrings, which shall not be verie good, sweet, seasonable, and meet for mens meat, and shall offer the same to be sold, and shall be bought by any officer of such port &c. where the same shall be offered to be sold, that the same be not seasonable, nor meet for mens meat: When if he or they shall after that offer any of the said unseasonable fish to be sold to any person within this Realme, or being an Alien boier, and no Denizen, shall not depart with the same from the said haven, port, or town, so soon as convenientie will serve: When all and every person, owners thereof, shall forfeit to the Du. all the said unseasonable fish, brought for mans meat, as before is said. 39. Eliz. 10. 1. Jac. 2. 7. To endure until the end of the first Session of the next Parliament.

**Ordinances
to restrain
buying or sell-
ing of fish.**

10. As ordinance or restraint made or to be made by the Fishmongers of London, or by any other Companies or Corporation whatsoever, shall extend, or be put in execution, during the continuance of the said Act of 39. Eliz. 10. to restrain any Coastmen, Fishermen, or any other Persons or Companies, for or concerning the taking, bringing in, putting to sale, or buying of any salted fish, or Herrings, being wholesome and sweet. And every person, or body corporate, that shall make or execute any such ordinance or restraint, shall for every such offence forfeit an hundred pounds to the Du. and the parties grieved, that will sue for the same by Action of debt in any Court of Record, wherein no writ of Habeas Corpus. 39. Eliz. 10. 43. Eliz. 9. 7. Jac. 1. 5.

**Fishing in
Somerset,
Devon,
Cornwall.**

21. It shall and may be lawful at all time and times hereafter, to and for every such Watchmen, Balchers, Puers, Conders, Directors, and Guides, and all such Fishermen, and other persons, as shall necessarily attend their shames or nets for the drawing and carrying of Pilchards, Herrings, and other Sea fish, to land or shoare, at the times of fishing for Herrings, Pilchards, and other Sea fish within the Counties of Somerset, Cornwall, and Devon, where such fish shall hereafter be taken, to enter and go into and upon any lands, tenements, and hereditaments, which doe lye or adioyne neere unto any fishing places, and sit, convenient, and necessarie to watch and balke in, and to draw or carrie the sayd fish on shoare, and there to watch for the said fish, and to balke, hue, conde, direct, and guide the Fishermen, which shall be upon the said sea and sea coasts, for the taking of the said fish, and to draw and carrie the said fish on land or shoare, any law, custome, &c. notwithstanding. 1. Jac. 2. 3.

**Attendance
on Fishers.**

22. If any Action of Trespass or other suit shall be attempted and brought against any person or persons, for entering and going on the land, for watching of the said fish, or for balking, hueing, conding, directing, or guiding of the sayd Fishermen in their boats upon the sea or sea coast, for taking of the sayd fish, or for the landing of the sayd fish, as aforesaid, by authority of this Act: The defendant or defendants in any such action or suit, shall and may plead not guilty for any thing done by vertue of this Act: And upon the triall of that issue, the whole matter to be given on both parts in evidence, according to the verie truth of the same, and after such issue tried for the defendant or defendants, or nonsuit of the plaintiffe or plaintiffes after apparance, the same defendant or defendant to recover his or their damages, by reason of his or their wrongfull veration in that behalf, with costs also in that behalf sustained, and that to be assessed by the same Jurie that shall trie the sayd issue, or else by writ to enquire of the damages, as the case shall require, for which costs and damages such defendant shall and may by vertue of this Act sue forth such execution as the defendant in a Replevin may doe. 1. Jac. 2. 3.

**The def. pleads
in trespass.**

**Erecting of
weares.**

23. Every person or persons that from and after the five & twentieth day of Julii next ensuing this Session of Parliament, shall erect or set up any new weare or weares along the sea shoare, or in any haven, harbour, or cricke, or within v. miles

of the mouth of any haven, or creeke, or shall willingly take, destroy, or spoyle any ^{Destroying} spawne, frise, or brood of any sea fish in any cleare, or other engine or device what, ^{of spawne.} soever, sha'l forfeit for everie time so erecting, setting up, taking, or spoiling, contrarie to this Act, x. l. to the King and Informer. And every person which after the first day of October next, in any haven, harbour, creeke, or within five miles of the mouth of any haven, harbour, or creeke of the sea, shall fish with any Draw-net, or Dag-net, under thre ynches meash, viz. one ynce & a halfe from knot to knot (except for the taking of *Smoulas* in *Sorfolk* onely) or with any net with Can- was, or other engine or device, whereby the spawne, frise, or brood of sea fish, may be destroyed, shall forfeit such net, and also forfeit for every time so doing, ten shillings, the one halfe to the use of the poore people of the Citie, Towne corporat, Borough, Market Towne, Parish, or Libertie, where the offence or offences shall be committed, and the other halfe to the person that shall sue for the same, the sayd forfeitures to be levied to the uses aforesaid, by the Sherif, Bailife, or other head Officer of every Citie, Borough, or Towne corporat, and by warrant of one or more Justices of Peace, if that be lawfull for the Constables and Churchwardens of every Market Towne, Parish, or Libertie, within which any such offence or offences shall be done, by way of distress, and sale of the offenders goods, rendering to them the surplusage, according to the order of former statutes, in such cases of forfeitures ordained. Provided alwayes, That this Act shall not extend to punish any person or persons, for using any net or nets of lesser meash, than is by this Statute appointed, only for taking of Herrings, Pilchards, Sprats, or Lanyngan, any thing in this Act to the contrary in any wise notwithstanding. Provided further, That this Act shall not extend to the Isle and Countie of Anglesey. ^{The Sheriff of nets.} *Englesy.*

3. Jac. 12.

1 For the transporting of Herring, and other Sea Fish. See Corne 1. Ships 1.

2 For restrayning or taking Toll of Fish brought into this Realme. See Ships 2.

3 No Fisherman shal anker vpon the maine sea, in the time of common fishing. S. Ships 6.

4 No Fisherman shal be compelled to serue as a souldier, or as a Mariner, but in certaine cases. S. Mariners 2. 3.

5 None of the Queenes Purueyors shal take any fish from any man, that taketh the same in any English mans ship. S. Purueyors 2. 4.

6 What fish may be transported without custome. S. Custome 5.

7 Whomay buy engines to fish in Norfolk. 3. 1. Ed. 3. 2.

Fish dayes.

It shall not be lawfull to any person within this Realme, to eat any flesh vpon any dayes now usually obserued as fish dayes (vpon pain to forfeit twenty shillings for) every time he shall offend, or else suffer one monethes close imprisonment, without baile or mainprise. 35. Eliz. 7.) And every person within whose house any such offence shall be done, and being praiue, or knowing thereof, and not effectually punishing or disclosing the same unto some publike Officer, hauing authoritie to punish the same, for every such offence shall forfeit thirtene shillings foure pence. (35. Eliz. 7.) All which forfeitures, for not abstaining from meats, shall be diuided into thre equal parts: that is, one part to the use of the Aumene, the other to the Informer, the third to the common use of the Parish, where the offence shall be committed, and to be levied by the Churchwardens after any conviction in that behalf. 5. Eliz. 5.

No flesh shall be eaten on fish dayes.

Fish daies.

**Conditions
upon licences.**

2 But this Act concerning eating of flesh, shall not extend to any persons having special licence, upon causes contained in the same, and granted according to the Lawes of this Realme: every of which licences shall be void, unless the same containe these conditions, viz. Every licence made to any person of the degree of a Knight of the Parliament and his wife, shall be upon condition, that they shall pay to the poore mens boxe within the Parish where they remaine, &c. in the feast of the Purification of our Lady, or within five daies after, xxvj. s. viij. d. and to be paid within one moneth next after the same feast, upon paine of forfeiture of the same licence: A knight and his wife shall pay yearly xij. s. iiij. pence. Every person under the said degree shall pay yearly vi. s. viij. d. to the said boxe at the foresaid time, and upon the foresaid Condition. 5. Eliz. 5.

**Licences to
sick persons.**

3 All persons, which by notorious sickness shall be enforced, for the recoverye of their health, to eat flesh for the time of their sickness, shall be licensed by the Bishop of the Diocese, or by the Parson, Vicar, or Curat of such Parish where such person is sick, or of one of the next Parish adjoining (if there be no Curat &c. in the same Parish, or if he be willfull) which licence shall be signed with the hand of the Bishop, Parson, &c. and endure no longer then the time of sickness. And if the sickness continue above eight daies after the licence granted, it shall be registered in the Church Booke, with the knowledge of one of the Churchwardens. And the parties licensed, shall give to the Curat iiij. d. for everie entrie, and it shall endure no longer but for his sickness. And if any licence by any Parson, Vicar, or Curat, be granted to any person, other then such as evidently appears to have need thereof, by reason of their sickness, not only every such licence shall be void, but also every such Parson, Curat, or Vicar, shall forfeit for every such licence otherwise granted five markes. 5. Eliz. 5.

**Beefe & veale
excepted.**

4 No licence shall extend to the eating of any Beefe, at any time of the yeare, nor to the eating of any Veale, in any yeare from the Feast of Saint Michael the Archangell, unto the first day of May. 5. Eliz. 5.

**For one dish
of flesh, one
dish of sea fish.**

5 Such persons as have, upon good consideration, any lawfull licence to eat flesh upon any fish day, be bound to have for every one dish of flesh served to be eaten at their table, one usuall dish of sea fish, fresh, or salt, to be likewise served at the same table, and to be eaten or spent without fraud, or covin, as the like kind is or shall be usually eaten, or spent on Saturdays (except such persons as for sickness shall for that time be licensed by the Bishop, Curat, or &c. or by reason of age, or other impediment, allowed heretofore by the Ecclesiasticall lawes of this Realme) upon the paine aforesaid. 5. El. 5. 1. Jac. 2. To continue untill the end of the first Session of the next Parliament.

**Flesh not to
be killed in
Lent.**

6 No Butcher, or other person, whether he be licensed, or not licensed to kill flesh, shall from henceforth at any time in the time of Lent, kill, or dresse, to the intent to put to sale any Oxe, or Oren, Venets, Venes, Hogs, Calves, Hammes, Cwes, or Meathers, except Oren or Venes for victualing of ships into foreign parts, and except all flesh to be killed three daies before Easter yearely, upon paine to forfeit and lose the same Oren, Venes, &c. so killed and dressed contrary to this Statute, or the value of them. 1. Jac. 2. 9.

**Officers seeing
churche for fish
killed in Lent.**

7 All Justices of the peace, Sheriffs, Bailiffs, head Officers, and Constables, as well of cities and townes corporate, as in everie Countie of this Realme, shall have full authority yearly in the time of Lent, to enter into all houses of victualers, and common victualing houses, within their jurisdictions, where such offences shall be suspected to be committed, & finding any such oxen, venes &c. killed or dressed or any part or parcell of the same, contrary to this Statute, shall take and seise the same as forfeited, and shall give and distribute the same to prisoners, and other poore folks by their discretion. 1. Jac. 2. 9.

8 Every Lauener, Inne-keeper, keeper of every common Tabling house, common Cooke, common Drinker, or Alehouse keeper, offending at any time hereafter in the dwelling of any flesh victuall, contrarie to the Statute of Ann 5. El. or contrary to this Stat. shall not onely forfeit all the flesh so dwelled, but also the penaltie imposed by the said Statute of 5. El. for every offence to be committed. The one halfe of all which forfeitures (except such forfeitures as shall be found and taken by the Justices of peace, Sheriffs, Bailiffs, head Officers, and Constables, according to the tenor of this Act) shall be to the king, and the other halfe to such person or persons as shall sue or inform for the same in any Court of Record, by A. B. D. or J. wherein no C. D. or E. shall be allowed &c. 1. Jac. 29. To continue to the end of the first Session of the next Parliament.

Distillers dwelling of flesh.

Force, and forcible entrie.

Whosoever maketh his entrie into any lands and tenements, but in case where his entrie is given by the Law, and that in peaceable and easie manner, and not with strong hand and multitude of people, and thereof is convicted, shall be imprisoned, and pay a fine at the Kings pleasure. 5. Rich. 1. 7. If the plaintiff in his action after the apparance of the defendant bee nonsuit, or any verdict passe against him, the defendant shall recover costs against the plaintiffe. 23. H. 8. 15. S. Damages 6.

The punishment for forcible entries.

1 Whosoever doth enter with force into any lands or tenements, or into any Benefices or Offices of the Church, or doth enter peaceably, and after doth hold them with force, upon complaint thereof made to one or more Justices of the peace of the Countie, or to the Sheriff, Bailiff, or Justice, Justices or Justice of P. of the citie, towne, or borough, having Franchise, where such forcible entrie is made, the said Justice, Sheriff, or &c. shall within convenient time take sufficient power of the same Countie, Citie, &c. and at the costs of the plaintiffe, goe to the place where the force is made: And if he doe find any that made such forcible entrie, or that hold the place with force after peaceable entrie made, he shall take the offenders, and commit them to the next Gaole, there to remaine until by record of the same Justice, until they have paid a fine to the K. And whether the parties which made such entries be present, or gone at the coming of the Justice, the said Justice, Sheriff, or &c. shall in some good towne or convenient place, next unto the place where such force was made, inquire by a sufficient Jurie of the same Countie, Citie, &c. of them which made such forcible entries: And if it be found before them, that any have made entrie contrarie to this Stat. the said Justice, Sheriff, or &c. shall relesse the said lands or tenements so entered upon, and thereof put the partie in possession, which in such sort was put out. 15. R. 2. 2. 8. H. 6. 9. S. Just. of P. 89.

Forcible entrie, or forcible detaining of land.

3 And if any person after such entrie or holding with force, will make a forfeiture or other discontinuance to any Lord or other person, to have maintenance therein, the same is utterly void. And also in the cases aforesaid, the parties grieved may have an Assise of Nouel. diss. or an action of Trespas against the disseisor, and if the defendant be attainted of force, he shall answer to the plaintiffe his treble damages, and also pay a fine to the King. 8. H. 6. 9. 1. R. 2. 9.

A forfeiture of lands obtained by force.

4 Provided alwaies, that they which keepe their possessions with force in any lands and tenements, whereof they or their ancestors, or they whose estate they have in such lands or tenements have continued their possessions in the same by 19. yeares, or more, be not endamaged by force of this Statute. 8. H. 6. 9. No restitution upon any Indictment of forcible entrie, or holding with force shall be made to any person or persons, if the person or persons so indicted hath had the occupation, or hath bene in quiet possession by the space of thre whole yeeres together, next before the

Three yeeres possession.

Force, &c. Forests, Chases, Parkes, Warrens.

the day of such Indictment so found, and his, her, or their estate or estates therein not ended nor determined, which the party indicted shall and may allege for stay of restitution, and restitution to stay untill that be tried, if the other will deny or traverse the same. And if the same allegation be tried against the same person or persons so indicted, then the same person or persons so indicted to pay such costs and damages to the other partie, as shall be assessed by the Judges or Justices, before whom the same shall be tried, the same costs and damages to be recovered and levied as is usual for costs and damages contained in Judgments upon other actions. 31. Eliz. 11.

Each man shall
helpe to re-
mone force.

Forcible en-
tries by main-
tenance.

5 If the Sheriffe or any other of the Countie do not attend upon the Justice to go and assist him, to arrest such offenders, he or they so offending, shall be imprisoned, and pay a fine to the King. 15. R. 2. 2.

6 Whosoever maketh any forcible entrie into any other mans lands in his own right, to his owne use, or in any other mans right, to his use, by the way of maintenance, and thereof is attained in an Assise at the suit of the partie grieved, shall be one yeare imprisoned, and pay to the party grieved his double damages: And also shall answer to the partie grieved, damages for his goods and cattels, if upon the said disseisin he take away any. 4. H. 4. 8.

1 What Jurors shall be returned to enquire of Forcible entries. S. Iuries 12.

2 No descent after a forcible disseisin shall take away any mans entrie. S. Entrie 1.

3 Where a speciall Assise is grantable upon a Forcible entry. S. Assise 6.

4 For Riots, Routs, and vnlawfull assemblies, and al forces thereupon committed, S. Riots.

5 In what cases, in what places, and by what persons force and armes may not be used. S. Armor 2. 3.

6 Proces in Action vpon the Statute of Forcible entrie. S. Proces 3.

Forests, Chases, Parkes, Warrens.

The punish-
ment for kil-
ling the kings
deer.

Hunting
disguised.

NO man shall lose life or member for killing of the Kings Deer, but if he be taken therewith, and convicted, he shall make a grievous fine (if he hath any thing) if not, he shall be imprisoned a yeare and a day, and after shall be delivered, if he can find sureties, or otherwile he shall abjure the Realme &c. Charta Forest. 9. H. 3. 10. But to hunt in the night in any Forest, Parke, or Warren, or with painted faces, aliases, or other disguisings, to the intent he would not be knowne, and being examined before one of the Kings Counsell, or a Just. of Peace of the same shire, to conceal the same offence, or any offender, is Felonie. 1. H. 7. 7. S. Felonie 24. Just. of P. 16.

The punish-
ment of offen-
ders.

2 The Foresters in whose Bailiwicks any trespass done within the kings Forests of Wret or Wenison shall be committed, shall present the same trespass at the next Swanmote before the Foresters, Wretors, Regardors, Agistors, and other Officers of the Forest, which presentment shall be made by the othes of Knights, and other good and lawfull men, and not suspicious, of the parts adjoining, or nere where such trespass shall be presented, and where the truth may best be knowne: And the truth being perfectly knowne, then such presentment by the consent of all the said Officers, shall be solemnly written and sealed with their seales. And if any Indictment be in other maner, the same shall be void. And no man shall be taken or imprisoned for Wret or Wenison, vntlesse he be taken with the maner, or indicted in forme aforesaid. And the chiefe Warden of the Forest shall let him to mainprize, untill the Cirs of the Forest, without taking any thing for his deliuerance. 9. H. 3. 16. 1. E. 3. 8. And if any Officer of the Forest doth imprison any person, or doth compell any person to make any Obligation or ransome unto him, against the or-
dinance

dinante aforesaid, and is thereof attainted, he shall pay the partie grieved his double damages, and make fine to the King. 7. R. 2. 4. So Swainmote shall be holden with in this Realm, but twice in the year; that is to say, in the beginning of fifteene dayes befoze the feast of Saint Michael, when the Kings Agitoys shall come together, so Agist his domestic hounds: And about the feast of Saint Martin in Winter, when the Kings Agitoys ought to receive paimages. And at those two Swainmotes, shall come together the Foresters, Wardens, and Agitoys, and none other by distresse: The third Swainmote shall be in the beginning of fifteene dayes befoze the feast of Saint John Baptist, when the Kings Agitoys do meet to hunt his Deer: And at this Swainmote shall meet the Foresters, Wardens, and none other by distresse. Wherof, every sabbath dayes through the year, the Foresters and Wardens shall meet, to see the Attachments of the forest, as well for the King, as for hunting by the presentment of the Foresters, and befoze them attached. And the said Swainmotes shall not be kept but within the Counties in which they have been to be kept. Chart Forest. 9. H. 3. 8.

Swainmotes

3 Whosoever committeth trespass in Parkes or Ponds, shall make great amends to the partie, he that perceives him, shall make fine at the Kings pleasure, and find suretie that he shall not commit the like offence: And if he cannot find suretie, he shall abjure: And if he die and have no land, he shall be proclaimed and outlawed. And if none doe sue within a year and a day, the King shall have the suit: and such as be found guilty by Enquest, shall be punished as is abovesaid. West. 1. 3. Ed. 1. 20.

Trespass in Parkes or Ponds.

4 If any Forester, Parker, or Warrener, find any offenders within his Bailiwick, there to wandring, and doing hurt, which after they are leued to keepe the peace, and obey the law, will not yield themselves to the same Forester, &c. but will flee and defend themselves by violence: then though the Foresters, &c. or any other being in their companies to keepe the peace, comming to arrest such offenders, do slay any of the said offenders, he shall neither suffer death, nor sustaine any other punishment therfore. But if any of the sayd Foresters, Parkers, or Warreners, by reason of any contention, despite, or hatred, befoze conceived, will lay to any mans charge passing through his Bailiwick, that he came thither to do hurt, whereas he did not, neither was found wandring or offending, and so kill him, and therefore be convicted, he shall be punished for his death, as he ought to be punished for the death of another being in the Kings peace. 21. Ed. 1. 16.

Killing of offenders in forests, parkes, or warrens.

5 It is lawfull for every Archbishop, Bishop, Earle, or Baron, comming to the King at his commandment, and passing by his forest, to take one or two of his Deer by the vieto of the Forster, if he be present, or else he shall cause a horse to be blowen, least he should seeme to steale it. And likewise they may do, as they returne home. Chart Forest. 9. H. 3. 11.

Problemen may hunt the Kings game.

6 Rangers shall go through the forest to make their range, as it hath beene accustomed, and none otherwise: And dogs shall be lawed every three yeares, when the range is made by the testimony of honest men, in those forests where dogges have beene used to be lawed, and not elswhere, viz. the thirclawes of the forest shall be cut off by the skin, and he whose dog is not found lawed, shall be amerced in. s. But no Dog shall be taken for the lawing of dogs. Chart Forest. 9. H. 3. 5. 6.

Lawing of dogs.

7 So Jurie shall be compelled against their wills, by threatnings, or imprisonment, to travell from the place to where their charge was given them, to give their verdict, and yet to give their verdict otherwise than their conscience doth move them for any trespass committed within the forest. 7. R. 2. 3. Neither shall those persons which do remaine without the forest, come befoze the Just. of the forest by common summons, except they be impleaded, or pledges of any person or persons which be attached for the forest. Chart Forest. 9. H. 3. 3.

The Jurie shall give their verdict where they receive their charge.

Forests, Chases, Parkes, Warrens.

Every Just.
for the Forest
may make de-
puties.

Breaking a
Parke or
warren, and
hunting Deer
or Conies.

The forl for
hunting deer
in a Parke or
inclosed ground

8. Every Justice of the It. Forests, Parkes, and Chases, within this Realme, by their writing sealed with the seale of their office, shall make and appoint as many Deputies or Deputies, for the exercising of the same office of the Justices of the Forests, as to such Justices from time to time shall be thought convenient, which Deputies and Deputies so appointed, shall have like authoritie to doe and execute all things concerning the It. Forests, Parkes, and Chases, & all other things concerning the office of the Just of the Forests to all intents, and in as simple manner as the same Justice may lawfully do, and as though the same Just. were there personally present. 3. H. 8. 35.

9. If any person or persons shall in the night time, or by day, wrongfully or unlawfully, break or enter into any Parke inclosed, or any other several grounds inclosed with wall, pale, or hedge, and be so kept for the keeping, breeding, and cherishing of any Deer, or Conies, and wrongfully or unlawfully shall hunt, drive, or chase out, or take, kill, or slay, any Deer, or Conies, within any such inclosed park, or closed ground with pale, wall, or other inclosure, as aforesaid, against the will, mind, or pleasure, of the owners, occupiers, or possessors of the same, not having lawful title or authoritie so to doe, & thereof shall be lawfully convicted at the suit of the It. his heirs or successors, or the parties grieved, shall suffer imprisonment of his or their bodies, by the space of three monethes. And also shall yield and pay to the parties grieved his trouble damages and costs, so be assessed and rated by the Just. before whom he or they shall be summoned, after the said three monethes expired, & shall find sufficient sureties for his and their good behaving, against the It. his heirs and successors, and all his liege people, for the space of seven yeares after, or else shall remaine and continue still in prison, without bail or mainprie, until such time as he or they so offending, shall find sufficient sureties, during the said time and space of seven yeares. And it shall and may be lawful to the parties grieved, to sue and take his further remedie against all and every such offenders and offenders, for his losse and damages, and to recover the full value of the same, in that behalf, as well before the Just. of Oyer or Remuner, Just. of Assise in their circuits, and Just. of the It. and whole bedierie in their Sessions, or elsewhere, in any other the It. Courts of Record at W. Ass. And upon true satisfaction of the said trouble damages to the parties grieved, or upon the confession or acknowledgement thereof by the said parties offending, before the Just. in open Sessions holden for the County, wherein the same offence shall be committed, It shall be at the libertie of the said parties grieved, to whom the said offence is committed, to release at his pleasure, the suretyship of the good behaviour, at any time within the said six yeares, or before. Any thing in this Act before mentioned to the contrary notwithstanding. 3. Jac. 1. 3. If any person or persons from and after the Feast of St. James the Apostles next coming after the end of this Session of Parliament, shall willingly commit any the offences in the said Statute (of 3. Jac. 1. 3.) mentioned, concerning the unlawful chasing out, hunting, driving, taking, killing or slaying of any Deer, in any Parke or inclosed ground, which now is, or hereafter shall be made and used for Deer, against the will, mind, and pleasure of the owners, occupiers, possessors, or keepers of the same: Then all and every such person and persons so offending, shall for every such offence pay and satisfie to the parties grieved, the summe of tenne pounds of current money of England, or else trouble damages and costs, at the election of the parties grieved: The same to be recovered in such manner and forme, as in and by the said Statute is limited and appointed for the recovery, saving, or assessing of the said trouble damages: Any thing in the said Statute, or in this present Act contained, to the contrary notwithstanding. 7. Jac. 1. 3. This Law to continue until the end of the first Session of the next Parliament.

10. If any person or persons, not having any Patents, lands, tenements, or hereditaments,

rediments, of the cleere yearly value of forty pounds, or not worth in goods or chattels the summe of two hundred pounds, shall be any Gunne, Bow, or Crossbow, so hall any Deere or Conies, or shall have any Buckstall, or Engine, Hayre, Catenets, Harrenets, Ferrets, or Conie Dogges, except such person or persons as shall have any ground inclosed with pale, or inclosed with pale, or hedge; as also forslays, befor the keeping, breeding, or cherishing of any Deere or Conies, the increase of which said Conies shall amount to the cleere yearly value of forty shillings to be letten, at the least, or in depers, or Harrenets, in their Parkes, Villars, or groves, belonging to the chiefe; When any person having lands, tenements, or hereditaments, of the cleere yearly value of an hundred pounds in fee simple, fee tail, or for life, in his owne right, or in the right of his wife, may take from the person or persons of such malefactor, or malefactors, and to his owne use for ever to keep such Gunnes, Bows, Buckstalls, or &c. 3. Jac. 13. S. Hunting Dec. 21.

Shooting with Gun, or Bow, at Deere or Conies.

Keeping of Hares, Buckstalls, Ferrets.

It is provided also, that this Act do not extend to any Parke, or inclosed ground, hereafter to be made and used for Deere or Conies, without the grant or licence of the King his heirs or Successors; nor shall extend to any offence concerning the hunting, chasing, or killing of Conies, which shall be done or committed in the day time; but only to such offences as shall be hereafter done or committed in the night time only. Anything in this Act contained to the contrary thereof notwithstanding. 3. Jac. 13. S. Hunting Dec. 21.

Parkes hereafter made.

Only the night's offence punished.

1 How each person may use his woods, grounds, and other things which he hath within the Forest. S. Woods 3. 24. 25.

2 Officers of Forests shall not be sworn in Enquest. S. Jurors 4.

3 A man having no Parke, &c. of his owne, shall not keepe any Buckstalls, or Deere hayre. S. Hunting 3.

4 No man shall stalk but in his owne grounds. S. Hunting 4.

5 How long woods felled in a Parke or ground inclosed for Deere, shall be preserved from extrell. S. Woods 20.

6 He which hath a Parke and Deere therein, shall be charged to keepe certaine horses therein. S. Horses 1.

7 Where drifts shall be made of Forests or Chases, when, and by whom. S. Horses 7.

8 When a Highway in or by a Forest or Parke shall be enlarged. S. Highways 18.

S. 35. Ed. 3. 7.

Forfeitures.

If any person shall be indicted or appeared, of, or for the death of any such will disposed person, which attempted feloniously to rob or murder him, in, or nigh any common highway, cart way, horse way, or foot way, or in his mansion or dwelling house, or for the killing of him which attempted burglarie to break his dwelling house in the night, and of the same by verdict shall be so found and tried, he shall lose neither lands, tenements, goods, or chattels, for the death of any such will disposed person, but shall be fully discharged thereof, as if he were acquit of the death of the said person. 14. H. 8. 5.

Forfeiture for killing of certain robbers or felons.

2 Every offender being lawfully convicted of high Treason, by verdict, confession, outlawry, or presentment, shall forfeit to the King all such lands, tenements, and hereditaments, which he shall have in his owne right, in life or possession, at any state of inheritance, at the time of such treason committed, or at any time after. 5. Ed. 6. 17. But there shall be no corruption of blood to any heirs, nor the wife of the offender.

Forfeiture by attainder of high treason.

Forfeitures. Forging of deeds &c.

offendo; shall forfeit her dowry, by the attainder of any person for any of the offences made treason by the Stat. provided 5. El. 1. for the assurance of the Qu. power over all estates, or by the Stat. provided 5. El. 1. against the clipping, washing, counting, or filing of Coins, or by the Stat. provided 18. El. 1. against the impairing of the Qu. Coins, and other Coins current within this Realme.

Forf. of dead persons.

3 For forfeitures for treasons of dead persons not attained, nor adjudged in their lives, their heirs, or land tenants, shall not be impeached or challenged, nor of any other forfeiture, except the forf. in old time adjudged after the death of the persons, by presentment in Cire, or in the B. Bench, as of felons of themselves and others. Ann 34. Ed. 3. 12.

No person shall forfeit any thing for service done to the Qu. in Esse.

4 No manner of person ne persons whatsoever be or they be, that attend upon the King and Soueraigne Lord of this Land for the time being, in his person, and doe him true and faithfull service of allegiance in the same, or be in other places by his commandement in his warres, within this Land or without, that for the same deed and true service of allegiance, he or they be in no wise commit or attain of high treason, ne of other offences, for that cause, by Act of Parliament, or otherwise, by any Proces of Law, whereby he or any of them shall lose or forfeit life, land, tenements, rents, possessions, hereditaments, goods, cattels, or any other things: but to be for that deed and service utterly discharged of any vexation, trouble, or losse. And if any act or acts, or other proces of the law, hereafter thereupon for the same happen to be made, contrarie to this ordinance: That then, the act or acts, or other proces of the law whatsoever they shall be, stand and be utterly void. Provided alway, That no person or persons shall take any benefit or advantage by this Act, which shall hereafter decline from his or their said allegiance. 11. H. 7. 1.

1 Where a woman shall forfeit her land for making an vnlawfull contract of Matrimonie. S. Women 10.

2 Where there shall be forf. of land for committing or consenting to Rape. S. Rape 3.

3 Who shall haue the forfeitures of all Felons goods and lands condemned. S. Prerog. 16.

4 Who shall haue the forf. of a Bishops tenant attained during the vacation. S. Prerog. 14.

5 No person arrested and imprisoned shall forfeit his goods before he be convicted, &c. S. Sherifes 26.

Forging of deeds and writings.

Forging of any writ or other by another person freehold shall be troubled.

If any person or persons, after the first day of June next, upon his or their owne head and imaginations, or by false conspiracie and fraud with others, shall wittingly, subtilly, and falsly, forge or make, or subtilly cause, or wittingly assent to be forged or made, any false deed, charter, or writing sealed, Court roll, or the Will of any person or persons, in writing, to the intent that the estate of the freehold or inheritance of any person or persons, or, in, or to any lands, tenements, or hereditaments, freehold, or copyhold, or the right, title, or interest, of any person or persons, or, in, or to the same, or any of them, shall or may be molested, troubled, defeated, recovered, or charged, and shall pronounce, publish, or shew forth in euidence, any such false and forged deed, charter, writing, Court roll, or Will, as true, knowing the same to be false and forged, to the intent aforesaid, shall be thereof convicted, either upon action or actions of Forger of false deeds, founded upon this Stat. at the suit of the partie grieved, or otherwise according to the course of the Law, or upon bill or information exhibited in the Exchequer Chamber, he shall pay to the partie grieved his double costs and damages, to be found or assessed in the Court where such conviction

on

Forging of deeds and writings.

vided. And all and enerie Justices of Oyer and determine, and Justices of assise in their Circuits, and enerie of them, shall have authoritie in their open and general Sessions, to enquire of, heare, and determine all and enerie the offences aforesayd, committed or done within the limits of their Commission, and to make process for the execution of the same, as they may doe against any person being indicted before them of trespass, or lawfully convicted thereof. 5. Eliz. 14.

Forging of
deeds before
the Statute

5. If any person or persons whatsoever hath or his or their own hand, or by false conspiracie & fraud with any other, wittingly, subtilly, and falsly forged, or made, or shall before the 1. day of June next coming, forge & make any false deed, charter, or writing sealed, or the will of any person in writing, or any court roll, to the intent that the estate of freehold, or inheritance, or the right, title, or interest of inheritance or freehold of any persons of, in, or to any manors, lands, tenements, or hereditaments, being freehold or copyhold, or that by any such forged deed, charter, court roll, or writing, before the said 1. day of June, shall or may be molested, troubled, or defeated of any the said estates of any lands, tenements, or hereditaments, being freehold or copyhold: or if any person or persons have heretofore published or shew forth in evidence, or before the said 1. day of June, shall publish or shew in evidence for the proof of any title, any false & forged deed, charter, writing, will, or court roll, as true, knowing the same to be false & forged, as is aforesayd; to the intent abovesaid, or shall be thereof attainted or convicted, according to the order of 4. Eliz. also, either in an action of Forger of false suits; or in an action upon the case, at the suit of the party grieved, his heires, executors, or assigns, When the partie so convicted shall yield & pay damages & costs of the suit to the plaintiffe, as shall be assessed according to the law of the Realm, in any such like action or suit, & shall suffer imprisonment, & shall pay fine & ransom at the pleasure of the Qu. her heires or successors, And if any person or persons shall after the 1. day of June next coming, plead, publish, or shew forth in evidence, or otherwise for the proof of any title, any false and forged deed, charter, writing, will, or court roll, heretofore falsly made and forged, or be falsly made & forged before the said 1. day of June, as true, knowing the same to be false & forged, to the intent to have or claim thereby any estate of inheritance, freehold, or lease of years, or to any manors, lands, tenements, or hereditaments, or any annuities, rent or profit forth of any manors, lands, &c. or to the intent to alter, defeat, molest, trouble, charge, or recover the estate of inheritance, freehold, or lease for years of any person, in any manors, lands, tenements, rents, or hereditaments: When enery person & persons that so shall offend, & shall be thereof convicted, in forme first abovesaid, shall pay unto the party grieved double costs & damages, & shall have imprisonment, losse of ears, sitting & searing of nose, & losse of lands in the same manner & forme as abovesaid is limited, for any person that shall offend by forging or publishing of any false deed or writing, as is aforesayd, after the foresaid 1. day of June. 7. Eliz. 14.

Pleading a
forged deed
made before
the Statute

These persons
are not charge-
able by this
Statute.

6. But this act shall not charge any Oppinarie, or any of their Commissioners, Officials, Registers, or any other their Officers with any of the offences aforesaid for putting their seale of Office to any Will exhibited unto them, not knowing the same to be false or forged, or for writing of the said Will, or probat of the same: Neither shall it be hurtfull to any Doctor, Advocate, or Register, of any Ecclesiastical Court within this Realm, for the writing, setting forth, or pleading of any story made according to the Ecclesiastical Lawes or customes heretofore used and allowed by the Ecclesiastical Courts of this Realme, for the appearance of any person, cited to appear in any of the said Courts: Nor to any Archdeacon, or Official, for putting their Antientique seale to the said story, neither yet to any Judge Ecclesiastical, for admitting the same. Neither shall this act extend to any Attorney, Lawyer, or Counsellor, that shall for his Client plead, shew forth, or give in evidence any false and forged deed, charter, will, court roll, or other writing, for true, or good, being

being not partie and priuie to the forging of the same, for the pleading, shewing forth, or giuing in euidence of the same. Neither shall this act extend to any person that shall plead or shew forth any deed or writing, exemplified vnder the great seale or the seale of any other Antient Court of this Realme: nor shall extend to any Judge or Justice, or other person that shall cause any seale of any Court to be set to any such deed, charter, or writing intolled, not knowing the same to be false or forged: Any thing in this act to notwithstanding. 5. Eliz. 14.

1 A seruant taken with a forged testimoniall, shall be whipped as a Vagabond. S. Labourers 8.

2 For getting other mens goods by a counterfeit or forged token, or letters. S. Counterf. 1.

Forestallers, Ingrossers, Regrators.

Whofoener doth buy or cause to be bought any merchandize, victuall, or other thing comming by land or water, towards any faire or market, to be sold in the same, or comming toward any citie, port, haven, cricke, or roade of this realm, or Wales, from any part beyond the sea, to be sold, or make any bargaine, contract, or promise, for the hauing, or buying of the same, or any part thereof so comming as is aforesaid, before the said merchandize, victualls, or other thing shall be in the market, faire, citie, port, haven, cricke, or roade, ready to be sold, or shall make any motion by word, letter, message, or otherwise, to any person or persons for the enhancing of the price, or better selling of any of the things aboue mentioned, or else disswade, moue, or stir, any person comming to the market or faire, to forbear to bring any of the things aboue mentioned, to any faire, market, Citie, &c. to be sold as is aforesaid, shall be adiudged a forestaller. 5. Ed. 6. 14. An. 34. E. 1. It was enacted, that no forestaller should be suffered to dwell in any towne, so he is a manifest oppressor of the poore, a publike enemy of the Countrey, and whole Commonwealth.

Who is a
Forestaller.

2 Whofoener shall regrade or get into his possession, in any faire or market, any Corne, Wine, Fish, Butter, Cheese, Candles, Tallow, Sheepe, Lambes, Calues, Swine, Pigs, Geese, Capons, Hens, Chickens, Pigeons, conies, or other dead victualls whatfoener, that shall be brought to any faire or market within this Realme, or Wales, to be sold, and doth sell the same againe in any faire or market, holden in the same place, or in any other faire or market within foure miles thereof, shall be reputed a Regrator. 5. E. 6. 14.

Who is a
Regrator.

3 Whofoener doth ingrosse, or get into his hands by buying, contracting, or promise taking (other then by demise, grant, or lease of land or tithe) any coyn growing in the fields, or any other corne, Butter, Cheese, fish, or other dead victuall, within England, to the intent to sell the same againe, shall be taken an vnlawfull Ingrosser. 5. Ed. 6. 14.

Who is an
Ingrosser.

4 Whofoener offendeth in any of the things before rehearsed, and being thereof duly conuicted, or attainted by the Lawes of this Realme, or after the forme hereafter mentioned, within ij. yerres next after such offence committed, shall for his first offence, suffer imprisonment by the space of ij. moneths, without baile or mainprise, and forfeit the value of the goods, cattell and victuall so by him bought or had: And being thereof once lawfully conuicted or attainted, shall for his second offence, being thereof likewise lawfully conuicted &c. suffer Imprisonment by the space of one halfe yeare, without bayle or mainprise, and shall lose the double value of the goods &c. so bought or had, as is aforesaid: And being twice conuicted of any of the sayd offences, shall likewise offend the third time, and be therof lawfully conuicted or attainted, he for his third offence shall be set on the pillorie in the Citie, towne or place where he shall dwell, and shall forfeit all his goods and cattell which he hath to his owne vse, and shall be committed to prison, and there remaine during the R.

Punishment
of the offenders

Forestallers, Ingrossers, Regrators.

pleasure. But he that is once punished for any offence, shall not be effrones troubled or punished for the same. 5. Ed. 6. 14. Who shall have the forst. and how it shall be leuped. S. Iust. of Peace 31.

Victuals
brought from
beyond the sea.

These persons
for these cau-
ses may re-
grate or in-
grosse.

5 But this Statute shall not extend to any Wines, Oyles, Sugars, Spices, Currants, or other forrein Victuals brought from beyond the sea (fish and salt one-ly excepted.) 13. Eliz. 25.

6 It shall not be aduinged any offence contrarie to this Statute, to take any cattel, cozne, butter, cheefe, or any of the aboue rehearsed things reserved vpon any lease, for lyfe, liues, or yeres, or to buy any barley, big, or otes, the buyer whereof shall conuert the same in his house to mault or otemale, or for any fishmonger, Butcher, or Poultier, for to buy any thing concerning their owne facultie, which shall sell the same againe, vpon reasonable prices by retaile, or for any Inholder or Victualer, for the buying of wine, or other dead victuall meet for mans sustenance, to sell the same againe by retaile, within his house, or to any of his Neighboures, for their sustenance for reasonable prices, or for the buying of any Herrings, dried or salted fish or sprats, and sold for reasonable prices, or for any of the Kings subjects dwelling within one mile of the maine Sea, to buy any fish fresh, or salted, and to sell the same againe at reasonable prices, or for the buying of any cozn, fish, butter, or cheefe, by any Badger, Lader, Kidder, or carrier, allowed by thre Justices of P. of that Countrey where &c. which shall sell the same againe in any faire or market, or to any Victualer, or to any other person for the prouision of his house, within one moneth after he bought them, or for any common prouision made by any person of any of the aforesayd things for any Citie, Borough, or Towne Corporat, or for the victualing of any ship, castle, or fort, or for to buy and prouide victuals necessary for the furniture and prouision of the inhabitants of the towne of Warwick, Wolley Island, or of the Marches of England against Scotland, which shall be transported and conueied to such of the places aforesaid, as soone as wind and weather will serue, or for a common and knowne Drouer being licenced by thre J. of P. of the Countie where he dwelleth, wherof one to be of the Quorum, to buy cattel in such Countie where Drouers haue bin wont to buy & sell the same agayne, at some markets or faires, being distant at the least xl. miles from the place where he bought them, or for any person being licenced by thre Just. of Peace &c. to buy cozne, graine, or cattell, to be caried by water from one port or place within England or Wales, vnto another, if he do ship or imbarke the same within fortie dayes after he hath bought or couenanted for the same, and with expedition as weather shall serue to transport the same, and doe bring a Certificat from a Just. of P. of the Countie, or Payor, or Baylife of the towne Corporat, & the Customer where such unlading shall be, testifying the same vnto the Customer & Comptroller of the port where the same were imbarked, or for every person to buy, ingrosse, & keepe in his house cozne, when wheat shall be commonly at the price of vi. s. viij. d. the quarter, or vnder, mault and barley at iij. s. iij. d. Otes, or Otes maulted at iij. s. Pease or Beanes at iij. s. and Rice or Pelline at v. s. the quarter of London measure, or vnder, so that none of all the aforesaid cozne, cattel, butter, cheefe, or other commodities be bought, couenanted &c. by forestalling. 5. Ed. 6. 14. 13. Eliz. 25.

7 This Statute of 5. Ed. 6. or any other Stat. made against Forestallers, Regrators, and Ingrossers, shall not extend to any oyle, wine, sea fish unsalted, mud fish, and salt, as any buyer or buyers vpon the sea, by way of forestalling, or regrating, shall and doe bring in any English subjects ships, crayers, or other vessels, and discharge in any port or Haven within this Realme. 5. El. 5. 1. Jac. 25. To continue till the end of the next Parliament.

1 For regrating of Butter and Cheefe. S. Butter 1.

2 No Butcher shall regrate any fat Cattell. S. Butchers 1.

- 3 Who may buy cattell and sell them againe, and within what time. S. Cattell 1.
- 4 He which buyeth corn for the change of his seed shall bring in as much to the market. S. Corne 10.
- 5 Who may engrosse tanned Leather and sell the same againe, and who not. S. Leather 36.

Franchises and Liberties.

Everie Statute being in force made before 4. Februarij Anno 27. H. 8. against Sherifes, Undersherifes, Bailifes, or other ministers for making or returning of panels of Juries, or for due execution and serving of any writ or proces, or for taking of fees, reformation of extortion, or for any other thing concerning their offices, and all paines and penalties contained in every such statute. Shalbe extended to all Stewards, Baylifes, and other Ministers and Officers of Liberties & franchises, having returns of writs, and execution thereof, in like manner as they extend to Sherifes, Undersherifes, &c. as if the said Baylifes, Stewards, &c. had been particularly named in such statutes, Saving that the said Stewards, Bailifes of franchises, their deputies or clerkes may occupie their offices above one year. viz. for so long time as they be given to them. 27. H. 8. 24.

Stat. promi:
ded for Sher-
ifes shall ex-
tend to bailifs
of Liberties.

2 The R. Shierif his Steward, Marshal, Coroner, and all his Ministers, shal and may keepe their Courts for Justice, and execute their offices as shal appertain to them according to the Lawes, customes and Statutes of this Realme, in all places within this Realme, as well within Liberties and franchises as without, within the Marge accustomed to his Court, where his Highnesse in his owne person shal come to rest or abide. And the R. Clerke of the market, and none other during the same time, as well within Liberties as without, shal exercise the office of Clerke of the market, notwithstanding any privilege, graunt, &c. But this Stat. shal not be prejudiciall to the Liberties of the Citie of London. 27. H. 8. 24.

where the R.
commeth, his
Courts shalbe
kept within
franchises.

Clerke of the
Market.

3 The amerciements for insufficient returns of Writs or other proces made by Stewards or Bailifes of Liberties, having returne of Writs and execution of the same, shalbe set upon the heads of such Stewards or Bailifs, not upon the Sherifes. 27. H. 8. 24.

Amerciement
for insufficient
returnes by
Bailifes of
Liberties.

- 1 The K. Purueior may take any victuals within Franchise. S. Purueyors 23.
- 2 No person hath Franchise or authority to pardon felons, or appoint Iustices, but the King onely. S. Prerog. 17.
- 3 The K. shall have the fines and amerciements forfeited by Bailifes and Stewards of Franchises. S. Prerog. 20.
- 4 Lords of Liberties shal appoint expert men to search or seale Leather. S. Leather 26.
- 5 The K. may seise a Franchise for default of pursuit or arresting of Felons. See Felonie 38.
- 6 The Lord of a Franchise where goods be shewed in a Faire or Market, vpon dayes prohibited, shall haue the same goods. S. Faires 2.
- 7 In whose name all writs, Indictments, and Proces, made within any Liberty, and in whose name the Teste of the same shalbe awarded. S. Prerogative 18.
- 8 For the executing and returning of Writs in Franchises. S. Returnes 3. 6. 7. 8.
- 9 What persons, & of what sufficiencie shalbe returned by Baylifes of Franchises to enquire of Riots. S. Riots 13.
- 10 In what time Baylifes of Franchises shall array Assises, and deliver the Copies. S. Assise 8.
- 11 The shirif may not enter into any Franchise to execute their precepts which

Fraudulent Deeds, Gifts, &c.

be Commissioners to enquire of the decay of Tillage. S. Sherifes 24.

12 Where the Sherife shall make his precept to a Bailife of a Franchise, & where he himfelfe shall deliuer cattell impounded. S. Sherifes 30.

Fraudulent Deeds, Gifts, &c.

Fraudulent
deeds to auoid
other mens
detracts.

All and euerie feoffement, gift, graunt, bargaine, alienation, and conueyance of lands, tenements, hereditaments, goods & cattels, or any of them, or of any lease, rent, common, or other profit or charge out of the same lands, hereditaments, goods, &c. or any of them, by writing or other wise, And all and euerie bond, suite, iudgement, and execution at any time had or made, sithence the beginning of our Quene Elizabeths raigne, or at any time hereafter to be had or made, which haue bene, and are deuised, and contriued of malice, fraud, couins, collusion, or guile, to the intent &c. to delay, hinder, or defraud creditoꝝ, and others of their iust & lawfull actions, suits, debts, accompts, damages, penalties, forfeitures, huioties, mortuaries, or relises, shalbe taken and deemed only as against that person, his heires, executoꝝ, successoꝝ, or assignes, whose actions, suits, debts, accompts, &c. by such guilefull, couenous, or fraudulent deeds, deuices, practises, as is aforesaid, are, shal, or might be in any wise disturbed, hindered, delayed, or defrauded, to be clearly void, and of none effect, any colour, fained consideration, expessing of use, or any other matter to the contrarie notwithstanding. But this Statute shall not extend to any estate or interest in lands, leases, goods, &c. lawfully assured upon good consideration, and bona fide, to any person or persons, bodieis politike, or corporat, not hauing at the time of such conueyance &c. any knowledge of such fraud, collusion, as is aforesaid &c. 2.R.2.3. 3.H.7.4. 13.Eliz.5.

Parties to
fraudulent
deeds.

2 All and euerie the parties to such fained or fraudulent feoffement, gift, grant, alienation, bargaine, conueyance, bond, suit, iudgement, execution, &c. or being privie and knowing of the same, or any of them, which shall wittingly and willingly put in use, auoid, maintaine, iustifie, or defend the same, or any of them, as true, simple, and done or made bona fide, and upon good consideration, or shal alien or assigne any the lands, tenements, goods, leases, &c. to them conueied, or any part thereof, shall forfeit to the Qu. &c. and the partie grieved by such fraudulent feoffement, gift, bond, suit, &c. one yeares value of the said lands, &c. leases, rents, or other profits, and the whole value of the said goods and cattels, and so much money as shall be contained in such couenous & fained bond, to be recovered by A. J. W. &c. where in no W. &c. C. P. &c. And being thereof lawfully convicted, shall suffer Imprisonment one halfe yeare, without bayle or mainprise. 13.Eliz.5.

Common re-
coueries.

3 But common recoueries had against tenant in taylor, or other Tenant of the freehold of Lands, the reuerfion or remainder, or right of reuerfion or remainder whereof then shall be in any other person, shall as touching such person, and his heires which hath the reuerfion or remainder thereof, be of like force, and none other, as the same should haue bene if this Act had neuer bene made: And no estate or conueyance, by reason whereof any person shall use any voucher in any writ of Formedon, shall be made void by this Act: But every such voucher in any writ of Formedon, shall be of like force, as if this act had not bene made. 13.Elizabeth. 5. 29.Eliz.5.

Voucher in
Formedon.

Fraudulent
conueyances
to defraud
purchasers.

4 All and euerie conueyance, grant, charge, lease, estate, incombzance, and limitation of use or uses, of, in, or out of any Lands, Tenements, or other hereditaments whatsoever, had or made at any time heretofore, sithence the beginning of the Qu. Elizabeths Raigne that now is, or at any time hereafter to be had or made, for the intent and of purpose to defraud and deceive such person and persons, bodieis politike or corporat, as haue purchased, or shall afterwards purchase in fee simple

simple, ſie ſayle, ſoꝝ life, liues, oꝝ peres, the ſame Lands, tenements, and hereditaments, oꝝ any part oꝝ parcell thereof, ſo ſoꝝmerly conueyed, graunted, leaſed, charged, incumbred, oꝝ limited in uſe, oꝝ to deſtaud and deceiue ſuch as haue oꝝ ſhall purchaſe any rent, pꝛofit, oꝝ comunoditie in, oꝝ out of the ſame, oꝝ any part thereof, ſhall be deemed and taken onely as againſt that perſon and perſons, bodies politique and Coꝝpoꝛat, his and their heires, ſucceſſoꝛs, executoꝛs, adminiſtratoꝛs, and assignes, and againſt all and euerie other perſon and perſons, lawfully hauing oꝝ claiiming, by, from, oꝝ vnder them, oꝝ any of them, which haue purchaſed oꝝ ſhall hereafter ſo purchaſe ſoꝝ money, oꝝ other god conſideration the ſame lands, tenements, oꝝ hereditaments, oꝝ any part oꝝ parcell thereof, oꝝ any rent, pꝛofit, oꝝ comunoditie in oꝝ out of the ſame, to be utterly void, fruſtrat, & of none effect: Any pꝛeſence, colour, ſayned conſideration, oꝝ expꝛeſſing of any uſe oꝝ vſes to the contrary notwithstanding. 27. Eliz. 4.

5 All and euerie the parties to ſuch ſayned, couenous, and fraudulent gifts, graunts, leaſes, charges, oꝝ conueyances, beſoꝛe expꝛeſſed, oꝝ being pꝛimie & knowing the ſame, oꝝ any of them, which ſhall wittingly put in vſe, auow, maintaine, iuſtifie, oꝝ defend the ſame, oꝝ any of them, as true, ſimple, and done, had, oꝝ made bona fide, oꝝ vpon god conſideration, to the diſturbance oꝝ hindꝛance of ſaid purchaſer, oꝝ purchaſers, leaſers, oꝝ graunters, oꝝ of, oꝝ to the diſturbance oꝝ hindꝛance of their heires, ſucceſſoꝛs, executoꝛs, adminiſtratoꝛs, oꝝ assignes, oꝝ ſuch as haue oꝝ lawfully claime any thing by, from, oꝝ vnder them, oꝝ any of them ſhall incurre the penaltie and foꝛfeiture of one yeares value of the ſaid lands, tenements, and hereditaments, ſo purchaſed oꝝ charged: The one moiꝛtie whereof to be to the Qu. Ma. her heires and ſucceſſoꝛs, and the other moiꝛtie to the partie oꝝ parties grieved by ſuch ſayned and fraudulent gift, grant, leaſe, conueiance, incumbꝛance, oꝝ limitation of uſe, to be recovered in any of the Qu. courts of Recoꝛd by A. of Debt, B. p. oꝝ J. wherein no C. p. oꝝ T. q. c. And alſo being thereof lawfully conuicted, ſhall ſuffer Impꝛiſonment foꝝ one halfe yeare, without baile oꝝ gaꝛnꝛiſe. 27. Elizabeth. 4.

Parties to fraudulent conueyances, which doe auow the ſame.

9 This Act oꝝ any thing therein containned, ſhall not extend oꝝ be conſtrued to impeach, defeat, make voyd, oꝝ fruſtrate, any conueyance, assignment of leaſe, aſſurance, graunt, charge, leaſe, eſtate, intereſt, oꝝ limitation of uſe oꝝ vſes, of, in, to, oꝝ out of any Lands, tenements, oꝝ hereditaments, heretofore at any time had oꝝ made, oꝝ hereafter to be had oꝝ made, vpon, oꝝ foꝝ god conſideration and bona fide, to any perſon oꝝ perſons, bodies politique oꝝ Coꝝpoꝛat: Any thing beſoꝛe mentioned to the contrary hercof notwithstanding. 27. Eliz. 4.

Conueyances made vpon god conſiderations and bona fide.

7 If any perſon oꝝ perſons haue heretofore ſithence the beginning of the Qu. Ma. ſtieſties raigne that now is, made, oꝝ hereafter ſhall make any conueyance, gift, graunt, demife, charge, limitation of uſe oꝝ vſes, oꝝ aſſurance, of, in, oꝝ out of any Lands, tenements, oꝝ hereditaments, with any claufe, pꝛouiſion, article, oꝝ condition of reuocation, determination, oꝝ alteration, at his oꝝ their will oꝝ pleaſure, of ſuch conueyance, aſſurance, graunts, limitations of vſes, oꝝ eſtates, of, in, oꝝ out of the ſaid Lands, tenements, oꝝ hereditaments, oꝝ of, in, oꝝ out of any part oꝝ parcell of them, containned oꝝ mentioned in any wꝛiting, deed, oꝝ Indenture of ſuch aſſurance, conueyance, graunt, oꝝ gift, and after ſuch conueyance, graunt, gift, demife, charge, limitation of vſes oꝝ aſſurance, ſo made oꝝ had, ſhall oꝝ doe bargain, ſell, demife, graunt, conuey, oꝝ charge the ſame Lands, tenements, oꝝ hereditaments, oꝝ any parcell thereof, to any perſon oꝝ perſons, bodies politique oꝝ Coꝝpoꝛat, foꝝ money oꝝ other god conſideration payed oꝝ given, the ſayd firſt conueyance, aſſurance, gift, graunt, demife, charge, oꝝ limitation, not by him oꝝ them reuoked, made voyd, oꝝ altered, according to the power and authoritie reſerued, oꝝ expꝛeſſed vnto him oꝝ them, in and by the ſaid ſecret conueyance, aſſurance, gift, oꝝ grant:

Conueyances with condition of reuocation, oꝝ alteration.

Then

Fraudulent Deeds, Gifts, &c. Freehold. Fuell.

When the said former conueiance, assurance, gift, demise, and grant, as touching the said lands, tenements, and hereditaments, so after bargained, sold, conueyed, demised, or charged, against the said bargainers, vendees, lessees, grauntées, and euerie of them, their heires, successours, executors, administrators, and assignes, and against all & euerie person and persons which haue, shal or may lawfully claime any thing, by, from, or vnder them, or any of them, shal be deemed, taken, and adiudged to be void, frustrat, and of none effect by vertue and force of this present act. 27. Eliz. 4.

Mortgages.

8 Provided neuerthelesse, that no lawfull Mortgage, made, or to be made Bonafide, and without fraud or couin vpon good consideration, shall be impeached or impaired by force of this Act, but shall stand in the like force and effect as the same should haue done, if this Act had neuer been had or made: Any thing in this act to the contrarie, in any wise notwithstanding. 27. Eliz. 4.

Assurances of lands defeated and the partie in possession before the Stat.

9 This Act, nor any thing therein containeyd, shall extend to be construed to make good any purchase, graunt, lease, charge, or profit, of, in, or out of any Lands, tenements, or hereditaments, heretofore made voyd, defeated, or vndone, by reason of any former conueyance, graunt, or assurance, so as the partie or parties, or their heires or assignes, which haue so defeated or made void the same, were in actual possession the first day of this present Parliament, or, in the said lands, tenements, or hereditaments, whereof, or out of which any such purchase, grant, lease, charge, or profit was made. 27. Eliz. 4.

Authozitie of the Starre-chamber.

10 This Act, or any thing therein containeyd, shall not extend in any sort, to restraine or impair the iurisdiction, power, or authozitie of the Court of Starre-chamber. 27. El. 4. 39. Eliz. 18.

1 For fraudulent deeds made by an Ecclesiasticall person, to defeat his successours of their remedie for Dilapidations. S. Dilap. 1.

2 For fraudulent conueyances to defeat the Lord of his ward, mariage, or relief. S. Wards. 1. 2. 24.

3 For fraudulent conueyances made of an Abbey, Chauntrie, Colledge, or free Chappel Lands. S. Monasteries 4. 9. 25.

4 For Collateral & fraudulent assurances made of lands to the vse of any church, Chappell, &c. S. Mortmaine 8.

5 For fraudulent conueyance to defeat the Qu. or any other of any benefitt that may arise vnto them by the Stat of 23. El. 1. S. Recusants 1.

6 Statutes merchant, & of the Staple, shall be entred of Record to detect fraud in them, if any be intended. S. Statutes 15. 16.

Freehold.

Who soeuer doth constrayne any person to appeare before the Councell of a Lord, Lady, or any other, to answer for his freehold, or any thing touching his freehold, or for any other thing reall or personall, which belongeth to the Law of the Realme in any maner, shall forfeit to the King 20. L. 15. R. 2. 12. 16. R. 2. 2. No man shall distraine his freeholder, to answer for his freehold or any thing thereunto belonging without the kings writ, nor shal cause his freeholder to sweare against his will: for that no man can doe without the kings commandement. Marib. 52. H. 3. 2. No one shalbe distrained to doe more seruice for a knights fee, or his freehold, then is due. Mag. Char. 9. Hen. 3. 10.

Fuell.

The assise of Fuell.

All Tallow, Billet, Fagot, and Coles to be made and put to sale within the Cities of London or Westminster, or in the suburbs of the same, shall keep the Assises following, viz. euerie sacke of coles shall containe foure bushels of good and cleane

cleane Coles. And euery Talshide shal containe in length foure foot beside the carse. And euerie Talshide named of one, to containe in greatnes within a foot of the middest xviij. ynches about. And euerie Talshid named of two, to containe in greatnes within a foot of the middest twentie thre ynches about. And euerie Talshid named of thre to containe in greatnes within a foot of the middest twentie eight ynches about. And euerie Talshid named of foure, to containe in greatnes within a foot of the middest thirtie thre ynches about. And euerie Talshid named of five, to containe in greatnes within a foot of the middest thirtie eight ynches about. And euerie Billet to containe in length thre foot and foure inches. And euery Billet named a single to containe seauen ynches bi. about. And euerie Billet named to be a cast, to containe tenne ynches about. And euerie billet named of two cast, to containe foureteine ynches about. And euerie fagot bend to containe in length thre foot, and the band of euerie such fagot, to be of twentie foure ynches about, besides the knot. And it shal be lawfull for euery owner, without danger of any forfeiture, to make Bilets of two casts. And all Bilets of two casts to be made and put to sale, shal be of the Assise herein containede or moze, and shal be marked onely with in fire ynches of the middest thereof. And euery Billet of one cast to be made and put to sale, shal be onely marked within foure ynches of the end thereof. 7.Ed.6.7. And the Assise for the said Tallowd, Billet, and fagots, shal continue in force not onely for London and Westminster but also in all other cities, boroughs, & townes corporat of this Realme, where such Tallowd, Billet, and fagots are accustomed to be sold. 43.Eliz.14.

2 If any person or persons shall bring any Tallowd, Billet, or faggots, to any Citie, Borough, or Towne Corporat of this Realme, there to be sold, or being brought, shall put the same to sale, neither being of the Assise mentioned in the sayd Stat. of 7.Ed.6. or agreeing with the measures hereafter in this Act limited: Then upon information thereof giuen to the Mayor, Bailife, or other head Officer of the sayd Citie, Borough, or Towne Corporat, they shall haue authoritie to call before them six good and lawfull men of the said Citie, Borough, or Towne corporat, and shall sweare them upon their corporall Othes, truely to enquire and present, whether all or any part of the said Tallowd, Billet, or faggot, be of good and sufficient Assise, according to the said Stat. and the limitation of Assise herein containede, or not. And if they shall present upon their othes, that any the said Tallowd, billets, or faggots, be not of such good and sufficient Assise, as abovesayd: Then the sayd Mayor, Baylifes, and other head Officers, of the sayd Cities, Boroughs, and Townes Corporat, by force of this act, upon their presentment, shall and may take such of the same Tallowd, Billet, and faggots, as be false sized, as forfeited; & shall deliuer the same vnto some Quersers for the poze, in the said Cities, Boroughs, & Townes corporat, to be by them giuen & distributed to the poze there, according to their discretions, from time to time, so often as such offences shalbe pressed in manner and forme abovesaid. 43.Eliz.14.

The penalty
for selling of
fuel not of
lawfull assise.

3 Euerie Tall shide marked of one, being round bodied, shall containe xviij. inches of Assise in compasse, being of halfe round xix. ynches of Assise about, being quarter cleft, xviij. ynches and a halfe of assise about: and euerie Tall shide marked two, being round bodied, shall containe in compasse xxij. inches of assise about, being halfe round xxviij. inches of assise about, being of quarter cleft xxviij. ynches of assise about: And euery Tall shide marked thre, shall containe in compasse about (being round) twentie eight inches of assise, being halfe round to containe in compasse 31. ynches of assise, being of quarter cleft xxxij. ynches of Assise about. And euery Tall shide marked foure, to containe in compasse (being round) xxxij. inches of assise, being halfe round xxxix. inches of assise about, being of quarter cleft xxxviij. inches of Assise about: And euerie Tall shide marked five, shall containe in compasse

The compasse
of Tall shides

being

Fuell. Fustians.

being round xxxiiij. ynches of assise about, being halfe round xliij. ynches of assise about, and being quarter cleft xliij. ynches of assise about, all which to be measured about within five ynches of the middelt thereof, and to containe the length limited by the sayd Statute. And in all other formes or maner of cleauing of Wood to be hereafter marked, and sold for; All wood, which will not admit the former formes, or maner of cleauing, nor any of these, to obserue the Letter of the said Statute of 7.E.6. And in euerie one of those formes, the surplussage of compasse that shall happen betwene any two next measures, being about the one, and vnder the other in euerie kind, shall be allotted and taken to be for, and to the benefit of the buyer, and not otherwise to be computable. 43. Eliz. 14.

The compasse
of Billets.

4 Euerie Billet, named a Single, shall contayne in compasse, being round bored, vij. ynches and a halfe of Assise: and no Singles shall be made or marked out of cleft wood: and euerie Billet marked one, commonly called a Cast, to containe in compasse about xi. ynches of Assise being round, and being halfe round to contayne in compasse thirtene ynches of Assise about, and being quarter cleft to contayne in compasse about twelue ynches and a half: and euery Billet marked two, commonly called ij. Cast, to contayne in compasse about, being round sixtene ynches of assise, and being halfe round, to contayne in compasse about xix. ynches of Assise, and being of quarter cleft, to containe in compasse about xvij. ynches and a halfe of assise. And in all other formes, or maner of cleauing of Billet, to be hereafter marked and sold for; Billets, which will not admit the former formes, or maner of cleauing, nor any of them, and touching the length of all the sayd Billet to obserue the letter of the sayd Statute of Anno 7. Ed. 6. 7. 43. Eliz. 14.

The compasse
of fagots.

5 All fagots hereafter to be made and put to sale, shall containe in compasse, beside the knot of the band, foure and twentie ynches of Assise, and euery fagot sticks or bend within the said band to containe in length full thre foot of assise or more, excepting onely one sticks or bend, to bee of one foot long, to stoppe or harden the binding thereof. 43. Eliz. 14.

None that buy
Fuel, but such
as will burne
or retails the
same.

6 No person or persons shall buy any Fuell, Coales, or Wood, but onely such as will burne or consume the same, or such persons as shall sell the same againe by retails, to such as shall burne or consume the same for their owne occupying, without fraud or couin, or Wharfingers, or Bargemen, vpon paine to forfeit to the R. and C. treble the value of all such Wood, Coales, and Fuell, as shall be otherwise bought for any lucre or gaine, to be recovered by A. B. P. J. wherein no W. C. P. &c. And no person or persons shall alter any marke or assise of any of the said Fuel, marked or sised according to this statute, vpon payne of like forfeiture, as is aboue sayd. 7. Ed. 6. 7.

Altering the
marke or assise
of fuell.

1 What Woods shall not be conuerted to Fuell for the making of Iron. See Iron.

Fustians.

Untrue
fleights vnd
vpon fustians

Who soener doth vse Irons on fustians vnto honye, wherewith to break off the nappe and cotton of the same, or any instruments, or ether untrue subtil meane or sleight vpon any fustian within this Realm, but onely the broad sheares, shall forfeit for euery default xx. s. to the King and C. to be recovered by A. J. &c. wherein no W. &c. P. &c. The Mayor and Wardens of Shearmen in L. & C. may enter and search the workmanship of all persons occupying the broad sheare, as well fustians, as Cloth. And the execution of this Act to be as well of denizens, as of foreigners and strangers. 11. H. 7. 27.

Searching
fustian ma-
kers.

2 It shall and may be lawfull to and for the Lord Mayor of the Citie of London, or his sufficient Deputie, and to and for the Mayor and Wardens of the Citye

Wardens of Clothworkers of London, or such discreet persons, as the said Mayor and Wardens of the said Clothworkers for the time being, shall from time to time appoint, to enter and make search, as the said Mayor of London and Wardens of Clothworkers might have done together by the said Act in Anno 11. H. 7. upon payne, that the person or persons which shall make resistance herein, shall forfeit for every such resistance xx. s. to the R. and J. to be recovered by A. B. P. J. in any of the R. courts of Record, where the same may be determined after the course of the common Law, wherein no W. C. P. 4c. 19. Eliz. 13.

1 For Fustians of Naples. S. 1. & 2. Ph. & Mar. 14.

Gold, Silver, and Goldsmiths.

If any Finour of Gold and Silver, or part of the same by fire, or water, doth alay any fine Silver or Gold, or doth sell the same in any other wise, or to any other person, but onely to Officers of Mints, Changes, and Goldsmiths within this Realm, for augmentation and amending of Coyne and plate (the said Officers & Goldsmiths answering for the same as it is worth) or if any finour or part doth sell to any person whatsoever, any manner of Silver in masse moulded and alayed: or if any finour of Silver doth not put his feuerall marke upon his fine Silver, he so offending, shall forfeit the same Gold or Silver, or the value thereof to the King, and him that proueth the same. All fine Silver which is parted and fined, must be made so fine, that it may beare xij. v. weight of alay, and yet it will be as good as sterling. 4. H. 7. 2.

Alaying of gold & silver and selling same.

The fineness of Silver.

2 If any Goldsmith doth melt or alay any fine Silver, to be for any works, or other intent, but onely for making of Amels for diuers works of Goldsmithie, and for amending of Plate, to make it as good as sterling, or better, he shall forfeit the same Silver, or the value thereof to the King and him that proueth the same, & will sue for it in the Exchequer. 4. H. 7. 2.

Melting or alaying of Silver.

3 If any Goldsmith, Jeweller, or other, that worketh harness of Silver within the Citie of London, doth set any of them to sale within the same Citie, before it be touched with the Touch, and also signed with the workmans marks, knowne to the Wardens of the same Mysterie, or doth sell any workmanship of Silver, without it be as fine as the sterling (except it need so stoner, which shall be allowed according as the same is necessarie to be wrought) he shall forfeit the double value thereof to the R. and J. 2. H. 6. 14.

Harness of Silver before touching & marking.

4 If the keeper of the touch doth touch any harness of Silver with the Leopards head, which is not as fine in alay as the sterling, he shall forfeit the double value of the Silver so touched to the R. and J. 2. H. 6. 14.

Harness as fine as the sterling.

5 If any Goldsmith, worker of Silver, or keeper of Touches in the cities of Yorke, New-castle upon Tyne, Lincolne, Norwich, Bristol, Salisbury, or Colchester, (which haue diuers Touches) doe set to sale, or touch any Silver in other manner then is before ordained for London, the offender shall forfeit double the value, &c. 2. H. 6. 14.

6 If any Goldsmiths, or other worker of Silver within the Realm of England, where no Touch is ordained, doth worke any Silver, except it be as fine in alay as the sterling, he shall forfeit the double value thereof to the R. and J. And every such Goldsmith, or worker of Silver, must set his signe or marke upon the same, before he put it to sale. 2. H. 6. 14.

Working of Silver not so much as the sterling.

7 Whosoever gildeth any sheathes or metall but Silver, and the ornaments of the Church, or layeth any Silver upon any metall, but onely upon knights spurs, and the apparell which belongeth to a Baron, or one above the estate of a Baron, shall forfeit to the King tenne times so much as the thing gilt is of value, and shall also

Gilding.

also

Gold, Siluer, and Goldsmiths. Gunnes, &c.

also be one year imprisoned. 8. Henr. 5. 3. But Artificers may worke ornaments of the Church of Copper and Latten, and gild o^r siluer the same, so that in the foot o^r other part, the Copper and Latten be playne, that a man may see whereof it is made. 5. H. 4. 1. And whosoever doth gild any siluer ware other then of the alay of the English sterling, shall forfeit to the K. the value thereof. 2. H. 5. 4. S. Iustices of Peace 46.

None shall make both white vessell and gild. Vessell of siluer and gold shall be assayed & touched.

8. No Goldsmith making white vessell, shall meddle with gilding, nor any thing gilding, shall make any white vessell, upon paine to forfeit the value of the vessell so made, o^r gilt, to the King. 37. Ed. 3. 7.

The fineness of goldsmiths wares of gold

9. If any Goldsmith doe suffer any vessell of Gold o^r Siluer to depart from him before it be assayed by the Wardens of the same Mysterie, and touched with the Leopards head, o^r doth let any stone in gold, except it be naturall, he shall be imprisoned, and make fine at the Kings pleasure. 18. Ed. 1. 20.

It is an offence for gold to be sold the fashion.

10. No goldsmith shall worke, sell, exchange, o^r cause to be brought, sold, o^r exchanged any Plate o^r other Goldsmiths wares of gold, lesse in fineness than that of twentie two Charrots, and shall use no soother, Amell, nor other stuffings whatsoeuer in any of their workes more than is necessarie for the finishing of the same, nor shall take above the rate of xij. s. for the ounce of Gold (besides the fashion) more then the buyer shall o^r may be allowed for the same at the Quenes Exchange o^r Mint, upon paine to forfeit the value of the thing so sold o^r exchanged, to the Q. and party grieved, to be recovered by A. J. 4c. wherein no W. 4c. E. 4c. 18. El.

The fineness of goldsmiths wares of siluer.

11. No Goldsmith shall make, sell, o^r exchange in any place within this Realme any Plate o^r Goldsmiths wares of Siluer, lesse in fineness then that of cleauen ounces two penie weight, nor take above the rate of twelue pence for every pound weight of Plate o^r wares of Siluer (besides the fashion) more then the Buyer, shall o^r may be allowed for the same at the Quenes Exchange o^r Mint.

The Goldsmith shall see his wares to be touched.

12. No Goldsmith shall put to sale, exchange, o^r sell any Plate o^r Goldsmiths workes of Siluer, before he hath let his owne marke to so much thereof, as conveniently may beare the same, upon paine to forfeit the value of the thing so sold, o^r exchanged, to the Q. and party grieved, to be recovered by A. J. 4c. wherein no W. 4c. E. 4c. 18. El.

Wardens allowing faulty wares.

13. If any Goldsmith shall make any Goldsmiths workes of Plate, and the same shall be touched, marked, and allowed for good by the Wardens o^r Masters of that Mysterie, and in the same there shall be found any falshe o^r deceit: Then the Wardens and Corporation of that Mysterie for the time being, shall seize and pay the value of the thing so exchanged, o^r sold, to the Q. and party grieved, to be recovered by A. J. 4c. wherein no W. 4c. E. 4c. 18. El.

Keeping of Gunnes in

14. There shall be no more given for coyned gold or siluer, than it is current by Proclamation: So Money.

15. Gold may not be deliuered to any Alien: So Money.

16. No man shall transport Gold or Siluer: So Money.

17. Gunnes, and Crossbowes, shall not be kept in any house, but in the house of the Lord of the maner, or in the house of the Lord of the castle, or in the house of the Lord of the borough, or in the house of the Lord of the hundred, or in the house of the Lord of the county, or in the house of the Lord of the shire, or in the house of the Lord of the king.

2 Every person which shall shot in, carrie, keepe, vse, or haue in his house, or elsewhere, any Handgun, other than such as shall be in the Stocke and Gunne of the length of one whole yard, or any Hagbut, or Demyhake, other than such as shall be in the Stocke and Gunne, of the length of three quarters of a yard, shall forfeit for every offence 10. pounds to the King and I. And every person having Lands, Fees, Annuities, or Offices, to the yearly value of 100. pounds, may seise and take every such Handgun, Hagbut, and Demyhake, being of shorter length than is before limited from the offender, And also every Crossebowe from any person not having lands, offices, &c. to the value of 100. pounds by yeare, and retaine the same to his owne vse. Which Handgun, Hagbut, and Demihake, he which seiseth them, must breake within xx. daies after seisure, or else he shall forfeit for every of them xli.s. to the R. and I. &c. to be recovered by A. I. &c. wherein no W. &c. C. p. 42. 33. H. 8. 6.

The length of a handgunne, hagbut, demihake.

who may take the Gunne or Crossebowe from the offender.

3 Whosoever shall carrie, or haue in his journey on foot or horsebacke any Crosse-bowe bent, or Gunne charged, or furnished with powder, fire, or touch for the same except it be in time and service of warre, other than such as haue lands, annuities, fees, or offices, to the yearly value of 100. l. he shall forfeit for every offence 10 l. to the R. and I. to be recovered by A. I. &c. wherein no W. &c. C. p. 42. 33. H. 8. 6.

Carrying a Crossebowe bent, or Gun charged.

4 He that doth shot with Handgun, Demyhake, or Hagbut, at any thing at large, within a Citie, Borough, or Sparket Towne, or within a quarter of a mile of either of them except it be at a butte or banke of earth, in a place convenient, or for the defence of his person, or house, shall forfeit for every shot ten l. to the R. and I. &c. 33. H. 8. 6. And if any person under the degree of a Lord of the Parliament, doth shot in a Handgun in a Citie or Towne, at any marke upon a Church, house, or Dowe-coat, he shall forfeit for every offence x. l. and be imprisoned three moneths. 2. E. 6. 14.

Shooting in a citie or market town at a thing at large.

5 Whosoever doth command any of his servants to shote in a Crosse-bowe, Handgun, Hagbut, or Demyhake, of the masters, or other persons, at any beare, foule, or other thing, except it be at a butte or banke of earth, or in time of warre, shall forfeit for every offence tenne l. to the R. and I. to be recovered by A. I. &c. wherein no W. &c. C. p. 42. But if the R. doe not commence his suite within one yeare, and every other person within halfe a yeare next after the offences committed, for any penaltie or forfeiture to any of them given by this Statute, they shall be excluded of their actions and suites, and the offender clearly discharged. 33. Hen. 8. 6.

The master commanding his servant to shote.

6 It is lawfull for every person to arrest or attach any person, which he seeth or findeth offending, contrarie to the effect of this Act, and to bring him to the next Justice of Peace in the same Countie, which Justice upon due examination and proofe, may commit the offender to the next Gaole, there to remaine untill he hath paid such penaltie, as he hath forfeited by this Statute, of which penaltie the King shall haue the one halfe, and the said bringer the other. 33. H. 8. 6. S. Iustices of Peace 45. Lectes 9.

Every man may arrest an offender.

7 But it is lawfull for all Gentlemen, Yeomen, and Servingmen of every Lord, and of all knights, Esquires, and Gentlemen, and to all the inhabitants of Cities, Boroughs, and Sparket townes of this Realme of England, to shot with any Handgun, Demyhake, or Hagbut, at any Butte or banke of earth, onely in place convenient for the same, so that every of them be of the severall lengths aforesaid, and not under. And it is lawfull to every Lord, knight, Esquire, and Gentleman, and the inhabitants of every citie, borough, and market town, to haue and keepe in ererie of their houses any handgun, of the length of one whole yard, and not under, to the intent to shot with the same at a banke of earth, or butt only. And

who may keepe or shote in Gunnes.

Gunnes and Crossebowes.

euerie person which dwelleth in any house, being distant two furlongs from any citie, borough, or towne, may keepe in his house for the onely defence of the same, handguns, hagbuts, and demihakes of the seuerall lengths aforesaid, and not vnder, and may vse to shote in the same, at any butte or banke of earth, nere to his house, and not otherwise. And euery person appointed by the King to keepe or receiue any Crossebowes, or Handguns forfeited, or taken within the precincts of his Forests, Parks, or Chases, may lawfully retaine the same, vntill his further pleasure be to him declared. And the makers of Crossebowes and handguns, may lawfully keepe Crossebowes, Handguns, Hagbuts, and Demihakes in their houses, and shote in the same onely for assaying of them at a Butte or Banke of earth in place conuenient, and not otherwise, so that the same be of the seuerall lengths aboue mentioned. 33. H. 8. 6.

To these persons this statute extendeth not.

8 This Act shall not extend or be preiudiciall to any Marchants, having any Crossebowes, handguns, hagbuts, or demihakes to sell, and to none other vse, so that the same be of the seuerall lengths aboue limited, and not vnder. Neither shall it extend to any of the Kings subiects, whose houses be not aboue fise miles distant from the Sea coasts, or which be inhabitants of the Isles of Gersey, Cernesey, Anglesey, Wight, and Man. But it is lawfull for euery of the said inhabitants to haue and vse their handguns, hagbuts, and demihakes, of the lengths abouesaid, within the said limits and Isles, so that it be at no Deere, Boweler, Fesant, Partridge, wild Swan, or wild Elke. Neither shall this act extend to any owner of any Ship, for hauing or keeping of any handgun, hagbut, or demihake, of the seuerall lengths aboue expressed, or vnder, onely to be had and occupied within any their Ship, or other Vessell, or for the carriage and recarriage of them on land, or keeping them, for the onely exercise of them within their Ship or Vessell: Neither shall this Act be preiudiciall to any seruant or person that shall bend, beare, carrie, charge, vse, or assay any crossebowe, handgun, demihake, or hagbut, of the lengths aforesaid, by the commandement of his Lord or Master, so that he doe not shote at any foule, deere, or other game: Nor to any such seruant or person, that shall beare, or conuey any crossebowe, handgun, hagbut, or demihake, of the lengths aforesaid, to any place by the commandment of his Lord or Master that may shote, to be repaired, amended, deliuered, or assayed, so that the same seruant or person haue ready to shew to euerie person requiring the sight thereof, one licence in writing, sealed, or subscribed by his said Lord or Master to carrie the same crossebowe &c. to be amended, assayed, or deliuered. 33. H. 8. 6.

Placards.

9 If any person obtaine of the King, his heires, or successors, any Placard, Licence, or Bill assigned to shote in a Crossebowe, handgun, hagbut, or Demihake, contrarie to the purpourt of this Act, then there shall be contained therein at what beasts, or other fowles he shall shote, or else the same Placard, &c. shall be void. And euery such person before he doth shote, shall be bound in the Chauncery in Recognition in xx. l. to the K. vse, that he shall not shote at any other beasts or Fowles than is specified in his Placard, Licence, or Bill assigned. And all Placards, Licences, and Bills made to any person not bound, shall be void. 33. H. 8. 6.

Walleshot.

10 Whosoener shall shote in any place any Walleshot, or moze pellets than one at one time, shall forfeit tenne pounds, and be imprisoned thre moneths. 2. Ed. 6. 14.

The names presented of those which shote in Guns.

11 All persons authorized to shote, or otherwise, are bound (vnder the paine of xx. s. a shote in any handgun, or halfe-hake) to present their names to the next Just. of Peace of the Shire, if he dwell in the Countrey, or to the Mayor or head Officer if he dwell in a towne Corporat, to the intent the Clerke of the Peace may keepe a booke of the names of all such, that the K. may know how many able persons he hath in each Countie for that seruice. And the Justice, Mayor, and head Officer are bound

bound under the like paine to receiue their names. 2. Ed. 6. 14.

1 Where, in what case, and in what manner it shall be lawfull for a Gunner to take an Apprentice. S. Labourers 30.

2 The punishment of a Gunner which taking prest wages to serue &c. departeth from his captaine. S. Felonie 23. Mariners 1.

3 Licence to shoot in Gunnes for Hawkes meat. S. Fefants 10.

Hats and Caps.

Whofoeuer doth by himselfe, or any other, make or worke any felt or hat, of, or with any soeine wolle, or stuffe, (vnlesse such person hath first bin apprentice or covenant seruant to the mysterie of felt, or hat-making, by the space of seuen yeares at the least) shall forfeit all such Hats or felts which he shall make or cause to be made while he worketh, & fine pounds for every moneth that hee shall so continue. But every person that was a maker or worker of Hats at the time of the making of the Statute, may so continue during his life, though he were not bound pntice for seauen yerres. 8. Eliz. 11. And whofoeuer doth by himselfe, or by his seruant or apprentice worke any felts or thymmed Hats, or occupie the misterie of making of felts or thymmed Hats within the citie of Ro:wich, or countie of Ro:folke vnlesse he be admitted so to do by the Mayor, Recorder, Steward, and two Just. of Peace of the said citie, or by foure of them, or that he hath bin apprentice to the same occupation by the space of seauen yerres, or doth make any hats or felts, or occupie the mysterie thereof in any place out of the Citie of Ro:wich within the countie of Ro:folke, but onely in a Corporate or Market Towne) shall forfeit the same felts or Hats, and also x.s. for every halfe dozen of them made contrary to this Statute. But if the Mayor, Recorder, Steward, or Just. of Peace of the City of Ro:wich, take any reward for admitting any person to occupie the said Art, he shall forfeit for euery offence v.l. to the R. and I. to be recouered by A. J. &c. wherein no W. &c. p. or forrein plea &c. 5. Ed. 6. 14. S. Coverlets 9. &c.

2 Whofoeuer shall make, sell, or cause to be made or sold, any Cappe, or other thing, of felt, but onely Hats, or shall make, sell, or &c. any Cappe of wollen Cloth not knit, or shall die, or &c. black any Cappe with Barke or Swarfe, but only with Copperas and Gall, or with Load and Gadder, or shall thicke or full in a Mill any Cap, vntill the same be first well scowzed and closed vpon the banke, and halfe thicked at the least in the foot-stocke, shall forfeit for every offence x.s. But this Act shall not extend to any making of Hats with Wo:sted yarne in the Citie of Ro:wich. 8. El. 11.

3 If any maker or Worker of Hats, doth take aboue two apprentices at one time, or doth take those for any lesse time than seauen yeares at the least, hee shall for every apprentice so taken, be one month imprisoned in the common gaole without baile or mainepysse, and be from thenceforth disabled to haue any moze apprentices than one at a time, and also such taking of apprentice is void. But this Act shall not charge any felt, or hat-maker, with any paine or forfeiture, for setting a worke his owne children for making of felts or Hats in his owne house &c. 8. Eliz. 11. S. Corporations 18.

4 The moitie or one halfe part of all and euery the forfeitures & penalties contained in the same former act of 8. El. 11. and also the moitie or one halfe part of all and euery the forfeitures and penalties hereafter limited and appointed in and by this Act, shall be to the R. his heires, and successours, and the other moitie to such person or persons as will sue for the same by A. B. p. or J. in any Court of Record, wherein no C. W. p. &c. shall be allowed &c. 1. Jac. 17.

5 No person or persons shall make or cause to be made any felt or hat, of, or with

None shall worke Hats, but which haue borne pntice.

Making hats in Ro:wich and Ro:folke

Cappes of felt or wollen cloth not knit.

Dying, thickening, or fulling of Caps.

How many apprentices Hatters may take.

The forfeiture.

Hats and Caps.

Hawkes.

Who may be
felt-makers,
and who their
servants.

With any wolle or stufte whatsoener, unlesse he or they shall have first served as apprentices in the foresaid trade or art of felt-making, during the space of vij. yerres at the least: Neither shall they retaine and set to worke in the said art, any other person or persons than Journeyemen, that have lawfully served in that art, & apprentices lawfully bound in the said trade or art: Nor above two apprentices at one time, nor those for any lesse time than vij. yerres, upon paine to forfeit v. l. for every moneth that he shall continue offending, contrarie to the true meaning of this Act, to be recovered to the vles and in maner aforesaid. 1. Jac. 17.

No stranger
shalbe set on
worke in ma-
king of Hats.

6 No person or persons shall retaine or set on worke in the sayd Art of Hat or felt-making, any person or persons bozne out of his Majesties Realmes of England, Scotland, and Ireland, upon paine to forfeit v. l. for every moneth, wherein such person or persons shall offend, contrarie to the meaning of this Act, to be recovered to the vles, and in maner aforesaid. 1. Jac. 17.

Hat-makers
somes.

7 Nothing in this Act, nor in the sayd former Act contained, shall extend to charge any person or persons lawfully exercising the sayd Art, with any paine or forfeiture, for setting or bing his or their owne natural sonne or sonnes, to the making or working of Hats or felts, in his or their owne house or houses: so as everie such sonne or sonnes be bound by Indenture of Apprenticeshew for the terme of vij. yerres at the least, which terme shall not be to expire, before he shall be of the full age of twentie two yerres: Any thing above said to the contrarie notwithstanding. 1. Jac. 17.

Hat-makers
at the time of
the Statute.

8 Everie felt-maker that now is, and by the space of one yeare last past before the beginning of this Parliament, was a maker or worker of felts, and being an householder, and all such as now are Apprentices, Covenant servant, or Journeyman, in the same Art or Myserie of felt-making (so as the same Apprentice serve the residue of vij. yerres at the least) shall or may during such persons naturall life, continue making of Hats and felts, albeit the same person were not bound apprentice to the same Art for the space of seven yerres: Any thing in this Act, or otherwise, to the contrary notwithstanding. 1. Jac. 17.

1 Hat-makers dwelling in Norwich may buy Middle Vffe yarne to make hats with. S. Yarne.

Hawkes.

Taking
Hawkes or
Hawkes eggs
out of ano-
thers grounds

Whosoever doth wrongfully, by night or day, take away any Hawke or Hawkes, or the eggs of any of them, out of the woods or ground of any person (not having lawfull authoritie or licence so to doe) and thereof is lawfully convicted at the suit of the Quens, or partie grieved, shall pay to the partie grieved his treble damages, suffer imprisonment by the space of thre monethes, and then find sufficient sureties for his good abearing, for the space of seven yerres after, or else remains in prison, untill he hath found sureties. 5. Elizab. 21. S. Iustices of Peace 34.

How each ma
shall bte the
Hawke which
he taketh up.

2 Whosoever findeth a Faulcon, Marcelet, Laner, Laneret, or other Hawke, which the owner thereof hath lost, shall immediately bring the same to the Sheriffe of the Countie, which shall make proclamation in all the good Townes of the Countie, that he hath such a Hawke in his custodie: And if the owner which lost the Hawke, or any of his servants come to chalenge it, and proueth that it is his masters, he shall pay for the costs and have it. And if none doe come within four monethes to chalenge it, then the Sheriffe shall have the Hawke, agreeing with him that tooke it up, if he be a simple man, and if he be a gentleman, and of estate to have a Hawke, then the Sheriffe shall deliver him the Hawke, taking reasonable allowance for the keeping thereof. And whosoever taketh a Hawke, and the same concealth

realeth from the owner, or from his Faulkoners, or taketh away a Hawke from the owner, or killeth a Hawke, and carrieth it away, not obseruing the foresayd ordinances, and is thereof attainted, shall be vsed as a felon which hath stolen a horse, or other thing. 34. Ed. 3. 22. 37. Ed. 3. 19.

3 Whosoener doth take or cause to be taken vpon his owne ground, or any other mans, the egges of any Faulcon, Goshawe, Laner, or Swanne, out of the nest, shall be imprisoned a yeare and a day, and make fine at the Kings pleasure. Taking the egges of Hawkes or Swannes. 11. H. 7. 17.

4 Whosoener taketh any Citer, Faulcon, Goshawe, Lassell, Laner, or Laner, in his Warren, Woods, or other place, or purposely driueth them out of their couerts accustomed to breed in, or causeth them to goe to other couerts to breed in, or killeth them for any hurt by them done, shall forfeit x. l. to the King and 3. l. 11. H. 7. 17. The taking, leasing, and killing of Hawkes. S. Iust. of P. 39.

5 Whosoener doth beare any Hawke of the breed of England, called a Pesse, Goshawe, Lassell, Laner, Laner, or Faulcon, shall forfeit the same to the King. The bearing of English Hawkes. 11. H. 7. 17.

6 Whosoener bringeth any Pesse, Hawke, or Hawkes, from any parts beyond the Sea, must bring a Certificat vnder the Customers Seale of the Port where he first landed with the same Hawke, &c. And he that commeth forth of Scotland, then vnder the Seale of the Warden or Lieutenant of the March which he came through, testifying, that the same Hawkes be of the parts beyond the Sea, or Scotland, or else he shall forfeit to the King the same Hawkes. 11. H. 7. 17. Bingers of Hawkes from foreign regions shall bring a Certificat.

1 Each man may haue Eires of Hawkes within his owne Woods, which bee within any Forest. S. Woods 24.

2 No person shall Hawke where any eared or coddled corne shall be standing. S. Feants 4.

Hauens and Riuer.

If any person doth cast or vnlod out of any Shippe, Trayer, or other Vessel, being within any Hauen, Rode, Channell, or River, flowing, or running to any Port Towne, or to any Citty, Borough, or Towne, within any of the Kings Dominions, any Ballast, Rubbish, Grauell, or other Wrecke, or filth, but onely vpon the land, aboue the full Sea marke, he shall forfeit for euerie offence v. l. to the King and Informer, to be recovered by A. J. &c. wherein no W. &c. C. p. &c. 34. H. 8. 9. No rubbish shalbe cast into any hauens, &c.

2 Whosoener fasteneth to any Idols, Boats, Ankers, or like things, any manner of nets ouerthwart any River, there to continue, shall forfeit for euerie offence v. l. to the King. 2. H. 6. 15. Fastening nets ouer rivers.

3 It shall not be lawfull to any person or persons whatsoever to set any Net or Nets with any Boat or Boats called a Stail-boat, or other Boat or Vessel whatsoever, within the entrie or mouth of the Hauen of W. of D. in the Countie of Suffolke, or in the Cull, being a branch of the same Hauen, except the mesh or Shale of euerie such Net, throughout the whole Net, doe containe two ynches and a halfe at the least in widenesse, from knot to knot, vpon payne to forfeit for euerie time that any Net or Nets shall be set or placed in the sayd Hauen or Cull, not being of the mesh or Shale aforesaid, five pounds, together with the net or nets so set, or the value thereof, to the King and Informer, to be recovered in any Court of Record at Westminster, and not elsewhere, by A. B. p. or J. wherein no W. &c. C. p. &c. 27. Eliz. 11. Of what mesh euery net to be set in W. of D. Hauens shalbe.

4 No person or persons shall labour, or worke, or cause to be laboured or wrought in any manner of Linne workes, called Streame workes, within the

W u i y

Coun

Hauens and Riuers.

Preseruation
of the Hauens
in Deuon &
Cornwall.

Counties of Deuon and Cornwell, nigh to any of the fresh waters, Riuers or lowe places, descending, or hauing course vnto the Hauens or Ports of Plimouth, Dartmouth, or Lymouth, in the countie of Deuonshire, Falmouth, and Fowese, in the Countie of Cornwell, or any of them, nor shall labour, digge, or wash any Linne in any of the said Linne workes, called Streame workes, vntlesse the said digger, owner, or washer shall make or cause to be made sufficient Hatches and Lies in the end of their puddles and cozds, and therein put and lay, or cause to be put and laied all the Rones, grauell, and robell digged about the insearching, finding, and washing of the said Linne, there to be wholly and surely kept by the said Hatches and Lies, out and from the said fresh Riuers, or water courses, or any of them: so that the said Sande, Stones, Grauell, and Robell, ne any part thereof, be for lacke of such Hatches or Lies conueyed into the said Ports and Hauens, or any of them, vpon paine to forfeit for every time that any Owner, Linner, Digger, or Labourer, shall digge, or wash, or cause to be digged or washed any Linne, contrarie to the forme aforesaid, x. l. to the R. and I. to be recovered by W. B. J. or otherwise, wherein no W. C. J. 27. H. 8. 23.

No penaltie
for suing ac-
cording to
this Statute.

5 If any person or persons shall happen to be sued, accused, indited, imprisoned, amerced, condemned, or otherwise vbered or troubled in his person, lands, Linne workes, goods, or chattels, by any of the Ministers or Officers of the R. Courts of Stannerie, or by any other person or persons, for pursuing or attempting any suite or action, according to this Statute, against such person or persons as shall offend, contrary to the forme aforesaid: then all such suits, accusations, inditements, imprisonments, actions, condemnations, fines, amerciaments, and every other Act or Acts to be done in any of the said Courts of Stannerie, or elsewhere, by any person or persons against any person or persons, for suing or attempting any suits or actions, by vertue of this Statute shall be utterly void. And the partie sued, indited, accused, imprisoned, or otherwise grieved or molested for pursuing against any person or persons offending this Statute, shall haue his action and remedie grounded vpon this Statute by W. B. J. or otherwise in any of the R. Courts, against such as shall procure or attempt to bere, trouble, or otherwise molest any such person or persons for suing or pursuing of the forfeitures aforesaid, and shall recouer treble damages in that behalfe, wherein no W. C. J. or J. shall be allowed to the defendant. 27. H. 8. 23.

Imprisoning
for suing ac-
cording to
this Statute.

6 If it shall happen any person or persons for pursuing any suit or action vpon this Statute, or by occasion of the same to be imprisoned by any person or persons, being officers or Ministers of the Court of the Stannerie, their deputies, or Substitutes, then euery of the Iustices of Peace within any of the Counties aforesaid, wherein the said prisoner shall happen to be committed to prison, vpon credible information thereof (taking suertie by his discretion for apparance of such prisoner at the next generall Sessions of Peace) shall haue authoritie as well to direct his warrant to the gaoler, or keeper of the prison, as to any other person or persons to whom the said prisoner shall be committed, commanding him or them vpon paine of forfeiture of x. l. to deliuer or put at large the said prisoner or prisoners: which if he refuse so to doe, then euery such offender shall forfeit the said x. l. the one halfe of the said forfeiture shall be to the King, the other halfe to him that is grieved by such imprisonment, to be recovered in manner and forme aforesaid, wherein no W. C. J. or J. shall be allowed to the defendant. And if it shall be proued vpon the apparance of such prisoner at the quarter Sessions, by examination of the Just. of peace there being, that he was imprisoned contrarie to the forme of this Statute, then he shall be forthwith dismissed, and thereby discharged: And if he were lawfully imprisoned for any other cause, then to be remaunded to prison by the discretion of the Iustices. 27. H. 8. 23.

7 Provided alwayes, that this Act be not prejudicial to any of the officers of the Stannerie, ne to any of their lawfull Liberties, Priviledges, Lawes, or Customs, saving onely in the cases and provisions contained and limited within this Act: which shall be alwayes put in execution, according to the tenor of this Act, any custome, priviledge, or binance &c. notwithstanding. 27. H. 8. 23. 23. H. 8. 8.

The liberties of the Stannerie.

8 The Lord Chancellor of England for the time being, at all times upon request to him to be made by the Mayor and Commynaltie of the Citie of Poike and Towne of Hull, or by any other Citizen and Burgesse of the said Citie and Towne for the time being, or other person by them vnder the common seales of the said Citie and Towne authorized, shall have authoritie by his discretion to make and direct Commissions vnto eight good and discret persons (whereof foure of them to be Citizens and inhabitants of the said Citie and Towne, and the other foure to be Justices of peace, two of the West Riding, and the other of the East Riding of the Countie of Poike, not of sex, nor retained with the said citie or town) that the vij. by. vi. b. or iij. of them, wherof two of them shall be of the said Citie and Towne, the other two Justices of peace, the one of the East Riding, the other of the West Riding of the said Countie, by vertue of the said Commission shal and may assigne and appoint the owners of fish-garthes, Stakes, Piles, and other Engines in the riuer and water of Duse and Humber, to pull vp and redresse, or cause to be pulled vp and redressed within thirtie daies after admonition given to the said owners by the said Commissioners, or by such of them taking the charge of the execution of the said Commission, such, and as much of the said fish-garths and other impediments to be made in the said waters, to the let, disturbance, damage, or icoperdie of any ships, keiles, boats, or any other vessels, passing or repassing to or from the said Citie of Poike to the said Towne of Hull, as by them shalbe thought meet and conuenient. 23. H. 8. 18.

Remouing of fish-garthes in Duse and Humber.

9 No person or persons within the said riuer and water of Duse and Humber, shall set fish-garthes, or any other Engines to take fish withall, within the waters aforesaid, but only with such Nets and other Engines, as shalbe of assise and measure, according to the standard, and antient and laudable customes used in the said riuer and water of Duse and Humber, and also to vse the fishing within the said waters, all such times, as within the same hath of old time bin accustomed, and at none other time. 23. H. 8. 18.

Nets to take fish in Duse & Humber.

10 Every of the said owners and occupiers of such fish-garthes, for every month offending contrarie to this Act, shall forfeit xli. s. And euery other person in fishing contrarie to this Act offending, shall forfeit xli. s. the one halfe of which penalties shalbe to the R. and the other halfe to the Mayor and Commynaltie of the Citie of Poike, and their successors, to be recovered against euery person and persons so offending, as well by B. R. or otherwise, at the R. suit, as by original writ of debt, at the suit of the said Mayor and Commynaltie, and their successors, wherein no W. C. p. shalbe allowed. 23. H. 8. 18.

The forfeitures.

1 A new Riuer brought out of the Countie of Hertford to London. 3. Jac. 18.

2 The Riuer of Thames. 4. H. 7. 15. 27. H. 8. 18. 3. Jac. 20.

3 The Riuer of Ley. 3. H. 6. 5. 9. H. 6. 9. 13. Eliz. 18.

4 The Riuer of Canterburie. 6. H. 8. 17.

5 The Riuer of Exe by Exeter. 31. H. 8. 4.

6 The Riuer of Mew by Plimmouth. 27. Eliz. 20.

7 The Riuer of Seuerne. 9. H. 6. 5. 23. H. 8. 12.

8 Douer Hauen. 23. Eliz. 6. 31. Eliz. 13. 35. Eliz. 7. 43. Eliz. 9. 1. Jac. 32.

9 South-hampton Hauen. 11. H. 7. 5. 14. H. 8. 13.

10 The Hauen of New-castle. 21. H. 8. 18.

11 Kingrode Hauen by Bristol. 34. H. 8. 9.

12 The

Hempe, Flaxe. Herons. Hexam, and Hexamshire.

12 The Hauen of Rye and Winchelsey. 2. Ed. 6. 30.

13 Chichester Hauen. 27. Eliz. 22.

Hempe, Flaxe.

watering of
Hemp & Flax.

Whosener doth water any Hempe or Flax in any river, running water, streame, b:oke, or other common pond where beaſts be ſled to be watered, but onely on the ground, or pits for the ſame ordained, or elſe in his owne ſeuall ponds, ſhall forfeit for euery offence xx. s. to the R. and the partie grieved, or J. to be recovered in any Court of Record, & Act, or Lawday, by A. J. &c. wherein no W. &c. C. P. &c. 33. H. 8. 17.

1 Where Hempe growing within ſiue miles of Burport ſhalbe ſold, and how much hempe ſhall be accounted a ſtone. S. Cables 1. 3.

Herons.

Taking of old
Herons.

If any perſon, without his owne ground, doth kill, take, or cauſe to be taken, any Herons, by meanes of any craft or engine (without it be with hauking, or long bow) he ſhall forfeit for euery Heron ſo taken or killed, vij. s. viij. d. to the R. and J. to be recovered by A. of debt, wherein no W. &c. P. &c. 19. H. 7. 11.

Taking young
Herons.

2 If any perſon, without his owne ground, doth take any young Herons out of the neaſt, without licence of the owner of the ground where the ſayd neaſt is, he ſhall forfeit for euery Heron ſo taken out of the neaſt, x. s. to the King and J. to be recovered by Action of debt, wherein W. &c. P. &c. 19. H. 7. 11. S. Juſtices of Peace 35.

Hexam, and Hexamshire.

The Territorie, Franchiſe, and Libertie of Hereham and Herehamſhire, with the liberties of the ſame, may be, is, and ſhall be taken to be within, and part, parcel, and member of the Countie of Northumberland. And as well the Pleas of the Crowne, as all ſuits betwixt parties and parties, may proceed and haue their due end and triall within the ſayd Countie of Northumberland, by, and before the ſheriffe and Coroners of the ſayd ſhire, and alſo before the Juſtices of peace, Juſt. of Gaole delinerie, Juſtices of Aſſiſe, Niſi prius, Oyer and Determiner, and other Officers, and each and euery of them, as the caſe ſhall require, and take effect, as any of the like haue bene, or ought to be, which haue happened, or ſhall happen within the ſayd Countie of Northumberland. And the ſheriffe and other Officers of the Countie of Northumberland for the time being, haue full power and authoritie to execute his or their Office, and all proceſſes to him or them directed, within Hereham and Herehamſhire, and the liberties of the ſame, in as large and ample maner as he or they may, ſhould, or ought to do, within any other part of the ſayd Countie of Northumberland, any Graunt, Priuiledge, Cuſtome, &c. notwithstanding. Saving to the Bailie of the Liberties, or other Officers of the ſayd Towne of Hereham and Herehamſhire, or the Liberties thereof, all Liberties and Priuiledges for executing of Proceſſes, returne of Writs, and otherwiſe, as they or any of them of right ought to haue, before the making of this Act. 14. Eliz. 13.

Highwayes.

The Conſtables and Churchwardens of euery pariſh within this Realme, ſhal yearly vpon the Tueſday or Wedneſday in Eaſter weeke, call together a
number

number of the Parochians, and then shall chuse two honest persons of the Parish, to be Surveyors for one yeare, of the works for the amendment of the highwayes in their Parish, leading to any Market towne, the which shall order and direct by their discretions, the persons and carriages appointed for those works. And if any the persons so named to be Surveyors, will not take upon him the execution of the said Office, he shall forfeit *xx.s. 2. & 3. P. & M. 8. 29. El. 5.*

Surveyors
for the amend-
ment of high-
wayes.

2 The Constables and Churchwardens shall then also appoint six dayes for the mending of highwayes, before the natiuitie of Saint John Baptist, and shall openly in the Church upon the Sunday after Easter, give knowledge of the same six dayes. And euery person hauing a Wrought or Plough, which doth not send and find at euery day and place appointed for the amending of highwayes in that Parish, one waine or cart furnished after the custome of the countrey, with Wren, Horses, or other cattell, and other necessities meet to carrie things conuenient for that purpose, & also two able men with the same, for euery plough land in tillage or pasture that he hath, shall forfeit for euery wrought making default *x.s. 2. & 3. P. & M. 8. 29. El. 5.*

Six dayes for
the mending
of wayes.

Each mans
charge for a
plough land.

3 If any of the carriages of the parish shall not be thought needfull by the Surveyors to be occupied upon any of the said dayes, then such person as should haue sent carriage, shall send for euery carriage so spared, two able men there to labour for that day, upon paines to forfeit for euery man not sent, *xx. s. 2. & 3. P. & M. 8. 29. El. 5.*

Two men in
stead of a car-
riage.

4 If any Householder, Cottager, or Laborer, of the Parish, hauing no Wrought or Wrought, able to labour, and being no hired seruant by the yeare, doth not by himselfe, or one sufficient Labourer for him, upon euery of the said six dayes, work in the amendment of the Highwayes, he shall forfeit for euery day making default *xx. s. 2. which persons and carriages shal bring with them shouels, spades, mattocks, and other toles, and do such works as they be appointed unto by the Surveyors, by the space of eight houres in euery of the sayd dayes (except they be otherwise licenced by the same Surveyors, or one of them.) 2. & 3. P. & M. 8. 29. El. 5.*

Cottager.

Necessarie
Toles.

The Just. of peace within the Countie of Norfolk, shall and may yearly at any generall Sessions to be holden within the said Countie, for and towards the making and amending of any of the sea banks, or sea workes, within the said Countie of Norfolk (not being, or that hereafter shall be in ruine or decay) limit and appoint so many of the aforesaid day works, as by their discretions shal be thought superfluous, & not needfull to be employed towards the amendment of the aforesaid highwayes, within iij. miles of the said Sea bankes, or sea workes, which shall needfully require any such reparation or amendment. And euery person and persons, dwelling within thre miles of the said sea bankes and sea workes, needfully to be amended as is aforesaid, shall yearly upon reasonable warning giuen, during so many dayes as shall be limited and appointed in the sayd Sessions, in respect of his and their labors and carriages, stand and be in that degree charged and chargeable towards the making, repairing, and amending of the said sea bankes, or sea workes, as by the aforesaid Stat. of 2. & 3. P. & M. 8. 5. Eliz. 1. 3. they stand charged and chargeable for the amendment of any Highwayes: And they and euery of them for the not doing and performing of the same, shall incurre the like paine, penaltie, and forfeiture, as is contained in the aforesaid Statutes made for the amendment of Highwayes, and euery of them. And the sayd Justices likewise, in their aforesaid generall Sessions, shall and may nominat and appoint the High Constables of euery Hundred, that shall be charged, or chargeable by force of this Act, towards the making or amending of the sayd sea bankes, or sea workes, to bee Surveyors of the sayd sea workes, and sea bankes, and they and euery of them shall take upon them the execution of the sayd charge and Office, and duely performe the same, upon such

Repairing of
Sea workes,
sc. in Norfolk.

High Constables
Surveyors

Highwayes.

such like paine and forfeiture, as by the said Statutes, or any of them, be imposed upon any Surueioꝝ, or Surueioꝝs, for not taking vpon him or them the Office of Surueioꝝs, for the amendement of Highwayes. And every person & persons, which shalbe perely charged to the making & maintenance of the said banks, or sea woꝝks, shalbe discharged of so many daies towards the making of the Highwayes, as shall be employed and bestowed towards the making & amendement of the said sea woꝝks, and sea banks: All the said penalties and forfeitures to be leuiued in manner and forme as in the said Statutes are limited or appointed. 27. El. 2. 4. 1. Act. 25. To endure vnto the end of the first Session of the Parliament next ensuing.

Taking of o-
ther mens
rubbish.

5 It is lawfull for every Surueioꝝ, for the amendement of the waies within the parish where he is Surueioꝝ, to take and carrie away so much of the rubbish or smallest broken stones which he shall find readie digged in any Quarrey, being within the parish where he is Surueioꝝ, as by his discretion shall be adiudged necessarie for the amendement of the waies, without licence, controulment, or impeachment of the owner. And for default of a Quarrey not found in the parish, or of rubbish not found in such Quarrey, it is lawfull for euery such Surueioꝝ to gather stones vpon any lands or grounds within the parish, meet to be vsed to such purpose, and likewise to digge or cause to be digged for gravell, sand or sinder, for the said vse, in the severall ground of any person, where the same is like to be found within the parish where he is Surueioꝝ, and nigh adioyning to the way where such reparations shalbe thought necessarie (so that it be not in the house, garden, orchard, or meadow of any person, nor above one only pit in any severall & inclosed ground, which pit shall not be in breadth or length above x. yards ouer at the most.) And if the Surueioꝝ which shall cause such pit to be digged, do not within one moneth after such digging cause the same to be stopped vp with earth at the costs of the parishioners, he shall forfeit to the owner of the soyle, where the pit is made, v. marks to be recovered by A. of debt. 5. Eliz. 13. 29. Eliz. 5.

Gathering of
stones.

Digging for
grauell.

Places not
lawfull to dig
in.

The Surueio-
or shall stop
the pit againe.

Turning a
water course
into any mans
ground.

6 It is lawfull for euery Superuioꝝ in the parish where &c. to turne a water course or spring of water being in any highway, and very noisome to the same, into any ditch of the severall ground of any person or persons next adioyning to the said highway in such manner, as by the discretion of the said Superuioꝝ shall be thought most meet. 5. Eliz. 13. 29. Eliz. 5.

Fences and
ditches nere
vnto High-
wayes.

7 The hayes, fences, dikes, or hedges, next adioyning on either side to any highway, shall from time to time be diked, scoured, repaired, and kept low, and all trees and bushes, growing in the highwayes cut doونه by the owners, wherby the said wayes may be open, and people may haue moze ready and easie passage, vpon paine that euery person committing any offence to the contrarie, shall forfeit for euery default x. s. 5. Eliz. 13. 18. Eliz. 9.

Presentment
of the offences

8 The Surueioꝝ which doth not within one month next after any offence committed by any person, contrarie to the purport & meaning of any article aforesaid, present euery such offence to the next Justice of Peace, shall forfeit for euery such offence not presented fortie shillings. And if the same J. of P. doe not certifie the same presentment at the next generall Sessions within the same Countie, he shall forfeit v. l. 5. Eliz. 13. 29. Eliz. 5.

Refusing to
pay the forfei-
ture.

9 If the Bailife or High Constable of any Hundred, Rape, Lath, or Wapen-take, to whom the Steward of any Let or Lawday, or in default thereof, the clerke of peace shall make and deliuer the estreats indented of all fines, forfeitures, and amerciaments presented before him or them, cannot find any sufficient distresse of any persons offending contrarie to the purview of any article aforesaid: or if the said offender shall obstinately refuse to pay the said amerciament, fine or forfeiture, and doth not pay the same within xx. dayes after lawfull demand of the same by the said Officer, then he shall forfeit double the sum that he should haue paid. 2. & 3.

P.&M.8.5.El.13.29.El.5. S.Leets 12. Inst. of P. 69.

10 If the Bailife, or head Constable doe not once every yeare betwixt the first day of March and the last day of Aprill, make a true accompt, and payment of all such summes of money (to the Constables and Churchwardens of euerie parish, wherein the offence was committed, or to two of them) which he shall haue collected vpon any of the aforesaid estreats, he shall forfeit for every time not so doing xl.s. 2.& 3.P.&M.8.5.El.13.29.El.5.

Constables accompt.

11 The Churchwardens of euery parish may call the Bailife and head Constable to accompt before the I. of peace, or two of them, whereof one to be of the Quorum, by bill, information, or otherwise, which Just. haue authoritie to take the accompt, and to commit the said Bailife or head Constable to prison, untill hee shall pay all such arrearages as shalbe adiudged by the said Justices. And the fines, forfeitures, and amercedments, due for any offence, contrarie to the purport of this Stat. shalbe to the Churchwardens, to be bestowed about the repaire of the wayes of the said parish. But the bailife and head Constable vpon his accompts shall haue allowed for every pound he shall collect and pay, viij. d. for his owne paines, and xij. d. for the fees of the Clerke of the Peace, or Steward of the Lett, for the estreats indented of euerie severall parish that he shall deliuer. And the successors of churchwardens shall haue the like action of accompt against their predecessors, as is before appointed against the Bailifes. 2.& 3.P.M.8.5.Eliz.13.29.El.5.

The head Constable called to accompt

How the forfeit shalbe impleaded.

Churchwardens accompts.

The charge of each person being d. l. in goods, or xl. s. in lands.

12 Euerie person (except such as shall dwell in the Citie of London) that shalbe assessed to the payment of any Subsidie to the Quenes Maestie to v. l. in goods, or xl. s. in lands, or aboue, during all such time as he shall stand so assessed and not altered, and being none of the parties chargeable for the amendment of Highwayes, by any former law, but as a Cottager, shall find two able men yearly to labour in the Highwayes, at such dayes and times as are before limited and appointed. 18. Eliz. 9.

13 Euerie other person that shall occupie a Plough land in tillage or pasture, lying in severall parishes, shalbe chargeable to the making of the wayes within the parish where he dwelleth, as farre forth and in such maner, as any person having a Plough land in any one parish, is or ought to be chargeable by reason of the said former Stat. or either of them. 18. Eliz. 9.

Hauing a plough land in severall parishes.

14 Euerie person keeping in his hands severall Plough lands in severall Townes, shall be charged to find in each Towne or Parish (where the said plough lands doe lie) one Cart, Waine, Tumbrell, Dungport or court Sleads, Carres, or Draggess, furnished for the repairing of Highwayes, within the severall Parishes where the said Plough lands do lie, in such maner as if he were a Parishioner dwelling within the Parishes where the same severall Plough lands doe lie. 18. Eliz. 9.

A man hauing severall plough lands in severall parishes.

15 Euerie person that shall occupie any lands adioyning to any Highway, where any ditching or scouring ought to be, shall from time to time as need shall require, ditch and scoure in his ground so adioyning, whereby the water conueyed from the said Highway ouer the ground next adioyning, may haue passage ouer the said ground so next adioyning to that ground, vpon paine of forfeiture for euery time so offending for euerie Rod not so ditched and scoured, twelue pence. 18. Eliz. 9.

Ditching and scouring.

16 No person having any ground by Lease or otherwise, adioyning to any Highway leading to any Market Towne, shall cast or scour any ditch, and lay the soyle thereof into the Highway, and suffer it to lye there by the space of six monethes, to the annoyance of the said Highway, vpon paine of forfeit. for euerie load of soyle so cast &c. xij. d. And where any soyle hath bene so cast into the Highway, that there is a bank betweene the said Highway and the ditch, it is lawfull to the

Casting of soyle into the way.

Suruisors

Highwaies.

Since to co-
ney the water
into a ditch.
Surueioꝝ and woꝝkemen to make sluices oꝝ other deuices by their discretions, to conuey the water out of the said way into the ditch: any law oꝝ vlage &c. notwithstanding. 18.El.9.

Howe the pe-
naltie shalbe
leuied.

17 Euerie penaltie foꝛfeited foꝛ any cause within this Statute, shall be leuied in euery parish by the Surueioꝝ of the waies within that parish by distresse, and sale of distresse, in maner as fines and amerçiaments in Courts haue been vsed: And the money so leuied shalbe imploied vpon the highway where the offence was committed. And if the Surueioꝝ shall not, oꝝ will not leuie and imploie the same within one yeare after the offence so committed, then the said foꝛfe. shalbe leuied in foꝛme afoꝛesaid, by the Constables oꝝ Churchwardens of the Towne oꝝ parish where the woꝝke ought to be done in the Highway: And he oꝝ they so leuying any of the said penalties oꝝ foꝛfeitures, shall make such accompt as is appointed in the befoꝛe, cited Statutes. 18.El.9.

The waies
shall be 100.
foot broad.

18 The Highwaies leading from one market towne to another, shall be enlarged there where any wood, hedges, oꝝ ditches be, so that there shall be no ditch, wood, oꝝ bush, where he that doth lawfully may escape, within two hundredeth foot of the highway, on the one side, and two hundredeth foote of the other (but this statute extendeth not to Ashes oꝝ great Trees.) And if any robberies be done by default of breaking downe ditches, underwood, and bushes, the Lord shall answer thereto, and if it be a murder, the Lord shalbe punished at the Kings pleasure. And if the Lord be not able to cut downe the underwood, the countrey shall helpe him. And within the R. demesne woods within Forests, and without, the waies shall be enlarged, as befoꝛe &c. And if any Parkes be nere vnto the Highway, the Lord thereof shall diminish it by the space of two hundredeth foot from the Highway, oꝝ else make such a wall, ditch, oꝝ hedge, that offenders cannot goe foꝛward oꝝ backward to any hurt. Winchest 15.E.1.5.

The repaire
of highwaies
in the Wodes
of Wulter,
Surrey, Kent

19 The occupiers of all maner of yron woꝝkes whatsoeuer, as owners oꝝ farmers of the same by any estate of inheritance, foꝛ life, lines, oꝝ foꝛ terme of yeare oꝝ yeares, oꝝ at will, which shall at any time hereafter carrie, oꝝ cause to be carried, any coales, mine, oꝝ yron, to, oꝝ foꝛ any their woꝝkes, betwene the 25. day of October, and the first day of May in any yeare, shall foꝛ euerie thre loades of coale oꝝ mine: as also foꝛ euerie tunne of yron, which shal be carried by any maner of twaine oꝝ cart, betwene the 25. day of October, and the first day of May, by the space of one mile, through any highway within the said Wodes of Wulter, Surrey, Kent, oꝝ any of them, shall pay, oꝝ cause to be paid vnto the Iustices of Peace dwelling nere vnto the places in the Countie, where the Highwaies shall be most annoyed, oꝝ his assignee, the summe of 12. s. the same to be leuied, after default of payment thereof, by such J. of P. oꝝ assignee, by way of distresse of any of the goods and chattels remaining in the said Countie, of such person, as so should haue payed such summe. 39.El.19.

foꝛ euerie 30.
loads of coales,
oꝝ myne,
oꝝ foꝛ euerie 2.
tuns of yron a
load of grauell
&c. oꝝ 12. s.

20 Euerie person and persons, occupier of yron woꝝkes, as afoꝛesaid, which shall at any time hereafter carrie, oꝝ cause to be carried any coales, myne, oꝝ yron, to, oꝝ foꝛ any their yron woꝝkes, betwene the first day of May, and the 25. day of October in any yeare, foꝛ euerie thirtie loads of coles & myne, oꝝ either of them, and foꝛ euerie ten tunnes of yron, to be carried as afoꝛesaid, one load of lunder, grauell, stone, oꝝ chalker, met foꝛ the repairing & amending of the said Highwaies, as afoꝛesaid, to be laid & imploied in such place & places of the Highwaies, as by any J. of the Peace of any the Counties afoꝛesaid, dwelling nere vnto the places, where the said Highwaies within the limits afoꝛesaid shalbe most annoyed, by any of the meanes afoꝛesaid according to the greater & moze present necessitie, shall be appointed & assigned, oꝝ els pay, oꝝ cause to be paid, foꝛ & in allowance of euerie cart load, in maner and foꝛme afoꝛesaid, to haue bin so carried & laid 12. s. within 8. daies after the demand thereof,

thereof, at any such y^eon worke made, to or from which y^eon worke any such carriage shall be, to the hand of the said Ju. of peace or his assignes, the same to be leuied after default of payment vpon the demand thereof from time to time by way of distress. 39. El. 19.

Entered by distress.

21 If such J. of peace by reason of absence, or other occasion, do not, or shall not within xl. daies next after the said first day of May, perely assigne & appoint, where & in what place of the Highwaies the said sinder, grauell, stone, or chalker, to be carted as aforesaid, or where or how the money thereof due, or so paid, shall be employed & bestowed: Then the same sinder, grauell, stone, or chalker, shall be laied and employed by such person or persons, as by this act are to cary and lay the same, or to cause the same to be carted & laied in such place and places of the highwaies, as the suruey^or within the parish for the time being, where the Highwaies shall be most annoied as aforesaid, shall assigne, or appoint, or in default thereof, pay to the said suruey^or for every such load due & vncarted, iij. s. in maner and forme aforesaid, vpon pain of forfeit. s. s. for every load of sinder, grauell, stone, or chalker, not carted, laied, and imployed in the Highwaies, or iij. s. vnpaid, as aforesaid, to be forfeit & paid by the person and persons, which by this act ought to cary and lay, or cause to be carted and laied, the sinder, grauell, stone, or chalker, or therofore to haue paid, as is aforesaid, after due conviction and presentment, thereof had before the J. of Oyer & terminer, or J. of peace, in any of their open Sessions or Sessions, to be holden before them, or any of them. 39. Eliz. 19.

In what place of the Highwaies the stone or grauell shall be laied, & by whose appointment.

Forfeitt x. s. a load.

22 All which summe and summes of money to be forfeited, by reason of this act, for, or in default of cartage or laying of the said sinder, grauell, stone, or chalker, or payment thereof as aforesaid, shall be likewise bestowed and employed vpon the amendment and repairing of the Highwaies, at, and by the discretion of any such Justice of peace, as shall diuel and be resident next vnto the place and places, being most annoied by the cartages aforesaid, the same to be leuied by way of distress, by any Constable, Tithingman, Headborough, or other Officer thereunto to be assigned, by warrant made in open Sessions by any Clerks of the peace of the County, where any the offences or offences aforesaid shall be committed, or by any two Justices of peace, whereof one to be of the Quorum, which were present at the Sessions, wherein the said conviction, or for any the offences aforesaid shall be had: And if no sufficient distress can be found by the said Officer appointed to leuie the same, or if the said offender do not pay the same, within twentie daies after a lawful demand of the same, by the said officer to be appointed for the leuying thereof, as aforesaid: then every person so denying or refusing, and not paying the same forfeiture, within yr. daies aforesaid, to forfeit the double summe he should before haue paid, to be leuied by such wayes and meanes, as to any two of the Justices of the peace of the same County, where the said offence shall be committed, whereof one to be of the Quorum, shall be thought most meet: The same forfeiture to be likewise imployed vpon the amendment of the Highwaies, as the other forfeiture should haue bin, if the same had bin leuied, according to the true intent and meaning of this statute. 19. El. 19.

Howe the forfeit shall be imployed.

If no distress can be found, or the offender do not pay.

23 The suruey^or and suruey^ors from time to time, for the time being, within the parish where the Highwaies shall be most annoied, vpon default of the said Justices as aforesaid, within yr. daies after such default of the J. of peace, as aforesaid, shall assigne or appoint, where, and in what place of the Highwaies, the said sinder, grauell, stone, or chalker, or the forfeit of money to be bestowed, shall be carted and laied as aforesaid, and vpon paine of forfeit of every such suruey^or or suruey^ors, for every such default xl. s. And the said suruey^ors shall make demand according to the limitation of this present Act, of all & every such forfeit and summes of money limited to be paid in default of such cartages as aforesaid, vpon paine to forfeit for every such default

In default of the Just. the suruey^or shall appoint where the grauell shall be laied.

The suruey^ors forfeiture.

Highwaies. Holy daies, and Fasting daies.

default xl.s. And shall also make presentment of euery such default of cariage, or payment, contrarie to the tenor of this present act, at the next A. Session to be holden for the said County, where such default of cariage and payment shalbe, upon pain to forf. for euery such default of presentment as aforesaid xl.s. The one moiety of all such forfeiture and forfeitures to be to the A. the other moiety to be to the J. to be recovered by A. B. P. J. in any of the A. Courts of Record, wherein no W. C. P. 4c. 39. Eliz. 19.

- 1 For the reparaire of Highwaies at the end of Bridges. S. Bridges 7.
- 2 Iustices of peace may inquire of, and present Highwaies not repaired. S. Iust. of peace 69.
- 3 For altering of Highwaies in the wild of Kent. S. 14. H. 8. 6.
- 4 For altering of Highwaies in Suffex. S. 26. H. 8. 7.
- 5 For the reparaire of Huntington lane neere Chester. S. 37. H. 8. 3.
- 6 For the reparaire of the Highway betweene Shaftsburie and Shirborne. S. 1. Mar. 5.
- 7 For the reparaire of the Highway betweene Bristowe and Gloucester. S. 1. Mar. 6.
- 8 For the reparaire of Highwaies neere vnto Oxford. S. 18. Elizabeth. 19. 35. Elizab. 7.
- 9 For the reparaire of the Way to Kings Ferric in Kent. S. 18. Elizabeth. 9. 27. Elizab. 26.
- 10 For the reparaire of the Highway leading from Nonfuch to Kingston. S. 3. Iac. 19.

Holy daies, and Fasting daies.

which onely
shalbe holy
daies.

All the daies hereafter mentioned, shal be kept, and comananded to be kept holy daies, and none other, That is to say, all Sundaies in the yere, The daies of the feasts of the Circumcision of our Lord Iesus Christ, of the Epiphanie, of the Purification of the blessed Virgin, Of S. Mathie the Apostle, Of the Annunciatio of the blessed Virgin, Of S. Marke the Euangelist, of S. Philip and Iacob the Apostles, Of the Ascension of our Lord Iesus Christ, of the Nativity of S. J. Baptist, Of S. Peter the Apostle, Of S. James the Apostle, Of S. Bartholme the Apostle, Of S. Mathew the Apostle, Of S. Mich. the Archangell, Of S. Luke the Euangelist, Of S. Simon and Jude the Apostles, Of all Saints, Of S. Andrew the Apostle, Of S. Thomas the Apostle, Of the Nativity of our Lord, Of S. Stephen the Martyr, Of S. J. the Euangelist, Of the holy Innocents, Sunday and Tuesday in Easter weeke, and Sunday and Tuesday in Whitson weeke: and none other day shal be kept and comananded to be kept holy day, or to abstain from lawfull bodily labour. 5. & 6. Ed. 6. 3.

Fasting daies

1 Euery Euen, or day next going before any of the aforesaid daies of the feasts of the Nativity of our Lord, of Easter, of the Ascension of our Lord, Pentecost, of the Purification, and the Annunciation of the aforesaid blessed Virgin, Of all Saints, and of all the said feasts of the Apostles (other then of S. Jo. the Euangelist, and Philip and Iacob) shalbe fasted and comananded so to be kept and obserued, and none other euen or day shalbe comananded to be fasted. 5. & 6. Ed. 6. 3. S. Fishdaies 1. & c.

Penalties by
censure of the
Church.

3 It shalbe lawfull to all Archbishops and Bishops, in their Dioces, and to all other hauing Ecclesiasticall or spirittuall iurisdiction, to enquire of euery person that shall offend in the premises, and to punish euery such offender by the censure of the church, & to enioine him or them such penance, as shalbe to the spirittuall Iudge, by his discretion thought moete and conuenient. 5. & 6. E. 6. 3.

4 This Act shall not extend to abrogat or take away the abstinence from flesh in Lent, or on Fridayes or Saturdayes, or any other daie which is already appointed so to be kept (by the Stat. made 2. & 3. Ed. 6. 19. viz. Embrying daies, or in any other day used commonly as a fish day within this Realme, saving S. Lawrence Cuen, or S. Parkes day) except onely of those euens or daies, whereof the holy day next following is abrogated by this statute. Any thing above mentioned to the contrary notwithstanding. 5. & 6. Ed. 6. 3.

which be fasting daies from flesh.

5 When and so often as it shall chauce any of the said feasts (the euens whereof be by this Stat. commanded to be kept fasting day) to fall vpon the munday: then, as it alwaies hath bin accustomed heretofore, so hereafter the Saturday then next going before such feast, or holy day, and not the Sunday, shall be commanded to be fasted for the euen of any such feast, or holy day: Any thing in this statute declared &c. notwithstanding. 5. & 6. Ed. 6. 3.

Sunday holy day, Saturday fast.

6 Provided alwaies, that it shall be lawfull to every husbandman, labourer, shepherd, and to all and every other person and persons, of what estat, degree, or condition he or they be, vpon the holy daies aforesaid in hartsell, or at any other times of the yere, when necessitie shall require, to labour, ride, fish, or worke any kind of worke at their free wills and pleasures: Any thing in this act &c. notwithstanding. 5. & 6. Ed. 6. 3.

working on holy daies.

7 Provided alwaies, that it shall be lawfull to the knights of the Garter, & to every of them, to keepe and to celebrate solemnly the feast of their order (commonly called S. Georges feast) yerele the xxiij. and xxiij. daies of April, and at such order, time, and times, as yerele shall be thought convenient by the K. his heires, or successors, and the said knights of the said order: any thing heretofore mentioned &c. notwithstanding. 5. & 6. Ed. 6. 3. Qu. whether this Stat. be in force or not, for it was repealed 1. M. 2. and that statute of repeale was repealed. 1. Jac 2. 5.

Knights of the Garter.

1 Yerele Morning Prayer shall be said vpon the fift day of Nouember Anni 3. Jaco bi 1.

Homage and Fealtie.

N person shall pay in the K. Exchequer, or any other Cours for the respite of Homage, of, or for any manors, lands, tenements, or hereditaments, whereof the cleere yerele value exceedeth not b. l. above big. v. and for the entring ther of, and warrant of Atturney, above sig. v. 33. H. 8. 2. S. Exchequer 5. 13.

Respite of homage.

2 When a freeman shall doe homage to his Lord of whom he holdeth in fee, he shall hold his hands together betwene the hands of his Lord, and shall say thus, I become your man from this time forthward, for life, for member, and for worldly honour, and shall owe you my faith, for the lands that I hold of you, saving the faith that I doe owe to our Soueraigne Lord the King, and to mine other Lords. 17. Ed. 2.

The forme of a freemens Homage.

3 When a freeman shall do fealtie to his Lord, he shall hold his right hand vpon a booke, and shall say thus, Heare you my Lord K. that I B. shall be to you both faithfull and true, and shall owe my fidelitie vnto you, for the land that I hold of you, and lawfully shall doe such customes and seruises, as my duty is to you at the termes assigned, so helpe me God &c. 17. Ed. 2.

A freemens fealtie.

4 When a villaine shall do fealtie to his Lord, he shall hold his right hand vpon the booke, and say thus, Heare you my Lord A. that I B. from this time forth vnto you shall be true and faithfull, and shall owe you fealtie for the land that I hold of you in bailnage, and shall be iustified by you in body and goods, so helpe me God &c. 17. Ed. 2.

A villaines fealtie.

5 If the heire of any which holdeth his lands of his Lord by Knights seruise, be

Exij

within

Hoppes. Hornes, and Horners.

The Lord
shall not haue
wardship, vn-
till he hath ta-
ken Homage.

within age, his Lord shall not haue the ward of him, nor of his land, before he hath taken of him homage. Mag. Chra. 9. H. 3. 3.

Hoppes.

Bringing in
to this realme
corrupt hops.

If any Forreiner, Stranger, native English man, Denizen, Merchant, or any other person or persons whatsoever, doe bring, or cause to be brought into this Realme of England, out from any other forreine Realme or Dominions, from beyond the Seas, any Hoppes being deceitfully or corruptly vnclean, corrupt, or mixt with any powder, dust, sand, or other soyle whatsoever, Every person offending therein contrarie to this act, shall forfeit the same Hoppes so brought into this realme. 1. Jac. 1. 8.

Bringing
with corrupt
hops drink to
be sold.

2 If any Brewer of Beere or Ale, or any other person, which shall buy the same Hoppes, so brought from beyond the seas, or growing within this Realm, and shall imploy and spend the same about the making of brewing of Beere or Ale to be sold, being vnclean, corrupt, or mixt with powder, dust, dross, sand, or any other soyle whatsoever: Every person so offending therein, contrary to the intent of this Act, shall in like sort forfeit the same offences the value of those Hoppes so bought, imployed, or spent in brewing. The one moitie of all which forfeit, shall be to the R. his heires, and successors, the other moitie to him or them that will seize the same, or sue for the same by B. P. J. or A. of debt, in any of the R. Courts of Record, wherein no C. P. Writ shall be allowed. 1. Jacobi 18. To continue to the end of the first Session of the next Parliament.

Hornes, and Horners.

Strangers
shal buy no
English hornes
in London
vnwrought,

No stranger nor Alien by himselfe or any other, shall buy any English Hornes, vnwrought, of any Tanners, Butchers, or of any other persons, gathered or growing within the Citie of London, and foure & twentie miles on euery side of the said Citie next adioyning: And no person or persons whosoever shall sell any English hornes vnwrought, to any stranger, or send any English Hornes vnwrought on the Sea, contrarie to the true meaning of this Act, upon paine of forfeiture of double the value of the Hornes so by him or them, so sold or sent, the same forfeiture to be recovered by him or them that will sue for the same, by Action, Bill, Plaint, or Information, in any of the Kings Courts of Record: the one moitie to be to the King, his heires and successors, and the other to him or them that will sue for the same, wherein no P. P. or W. to be admitted for the defendant. 4. E. 4. 8. 7. Jac. 14.

After English
men haue cho-
sen, Strangers
may buy the
residue.

2 Provided alwaies, that after men of the said occupation of this land haue taken out and chosen, such and as many Hornes, as shall be needfull to their occupation: That then it shall be lawfull to them all and euery of them, and other persons of this Realme of England to sell and deliuer all the Hornes reserved, which be not able to be occupied in their misterie to any stranger or other person to send or carrie beyond Sea, or elsewhere as shall please them. 4. E. 4. 8. 7. Jac. 14.

The Wardens
of Horners
may search for
insufficient
ware.

3 The Wardens of the said misterie of Horners for the time being shall haue full power to search all manner of Ware pertaining to their misterie, wrought or to be wrought in all places within the said Citie of London, and foure and twentie miles on euery side next adioyning to the said Citie, in whose hands they may be found: and if they by their search find any such Ware or stuffe in any place within the said Citie of London, and foure and twentie miles next adioyning to the same Citie, in whose hands soeuer they be to sell, that is defec-
ctive

aine and insufficient, it shall be lawfull to them to take the same Ware and Stuffs, and bring it before the Mayor of the said Citie of London for the time being, and the same there being proved to be defective, to be forfeit, the one halfe thereof to our Lord the King, and the other halfe thereof to the said Wardens to be ordered at their pleasures. 4.E.4.8.7.lac.14.

Horses, Mares.

Every person, as well Spirituall as Temporal, having any Parke or Ground inclosed with hedge, ditch, wall, or pale, in his owne hand, wherein any Ware is usually kept for Game, containing the quantitie of one mile in compasse, and is thereof seised en tie simple, tie taile, or for terme of life, in possession to his owne use, And every farmer of every such Parke and ground, being letten to farme, shall keepe for every such Parke or ground inclosed, so long as the same shalbe used or kept with Ware in the same for Game, two Hares being not splayed, apt and able to beare Foles, each of them of the hight of thirtene handfuls at the least, to be measured from the lowest part of the huse of the foresote, upon the highest part of the shoulder, and every handfull to contain iiij. ynches of the Standard. And every owner or farmer of a Parke which is iiij. miles in compasse, or above, shall keepe iiij. such Hares or. upon paine of for. of rl.s. for every moneth lacking the said Hares, to the R. and J. to be recovered by A. J. or. wherein no W. or. C. P. or. But if any of the said Hares shall die by casualtie, and the owner doe provide another of the foresaid hight within thre moneths next after the death thereof, he shall not incur the penaltie of this Stat. This Stat. shall not charge the owners of any parkes, or grounds inclosed, lying in Westmerland, Cumberland, Northumberland, or the Bishoprick of Durham, to keepe any mares. Neither shall it charge any other person, the herbage of whose parke or. is common to the inhabitants of the Townes next adjoining. 27.H.8.6.

Owners and farmers of Parkes charged to keepe Hares.

2 If any Lord, owner, or farmer of any parkes or ground inclosed, appointed by this Act to keepe Hares, wil willingly suffer any Hare to be covered with any little hore or nage of smale stature or value, he shall forfeit rl. s. to the R. and J. to be recovered by A. J. or. wherein no W. or. C. P. or. 27.H.8.6.

Hares shall not be covered with titts.

3 Whosoever doth put to pasture, into, or upon any Forrest, Chase, Parke, Park, Heath, Common, or wast ground, any stoned Hore, being above the age of two yerres, and not being of the hight of fiftene handfuls, to be measured from the lowest part of the huse of the fore sote, unto the highest part of the wythers, (and every handfull to containe foure ynches of the Standard) to pasture, feed, or be, in, or upon any of the said Forrests, Chases, Commons, or. within any of the shires and territories of Norfolk, Suffolk, Cambridge, Buck. Hunt. Essex, Kent, Southhamshire, North Wilshire, Oxford, Bark. Worcester, Gloucester, Somerset, Northwales, Southwales, Bedford, Warwick, Northampton, Northshire, Cheshire, Stafford, the county of the citie of York, the towne and liberties of Gloucester, the County of the towne of Kingston upon Hull, the Countie Palantine of Lancaster, the County of Salop, Leicester, Hereford, Lincoln (except it be upon any of the Parke, or seggie fennie grounds within the Counties of Cambridge, Huntingdon, Northampton, Lincoln, Norfolk, Suffolk, or within the Isle of Ely) shall forfeit the said Hore. And whosoever doth put to pasture upon any of the foresaid Parkes, or seggie fennie grounds, in the said last excepted shires or places, any stoned Hore above the age of two yerres, not being of iiij. handfuls high, to be measured in fozm aforesaid, shall forfeit the said Hore. 8.Eliz.8. 32.H.8.13.

The hight of Hores feeding upon the common.

4 Whosoever doth put to pasture any stoned hore above the age of y. yerres, not being

X f i y

Horses, Mares.

The height of
horses feeding
upon the com-
mon in all o-
ther shires.

Horses breed-
ing forth, or
put where no
mares be,

Seizure and
measuring of
a horse not of a
lawfull height.

Refusing to
measure a
horse not of
lawfull height.

Dists of fo-
rests, commons,
heathes.

Unlawfully
killed.

Infected
horses.

Keeping of
horses by rea-
son of decay
or tiring.

being sixty handfuls high, to be measured in forme aforesaid, upon any foze, rest, chase, moze, marsh, heath, wast, or common, being within any other shire of this realme, then is first before specified, shall forfeit the same horse: But no person shall be prejudiced by this stat. for the having or putting any horse to feeding under the hights aforesaid, upon any common or wast ground, where spares or fillies are not used or suffered to be kept. And for any stoned horse of his which shall once in a yere escape or break out of his several ground against his wil, into any foze, rest, chase, common, &c. so that the said horse doth not remaine there sixty daies next after sufficient and open notice given at his house, or publication made on a Sunday or festiual day in the parish church where he dwelleth. 32.H.8.13.

5 Whosoever findeth any horse in any foze, rest, chase, common, moze, marsh, heath, or wast ground, contrary to this statute, shall go unto the keeper of the foze, rest, chase, &c. or his deputy, or to the constable, bailiffe, headborough, boroughholder, or tithingman of any towne next adjoining unto the place where the said horse is, and command or require him in the R. behalf, to go with him to bring such horse there feeding to the next pound, and there the horse shall be measured by the officer, in the presence of six other honest men by the said officer appointed, & if it be found, that the said horse is contrary to this stat. then he that doth so challenge and seize him, may take and retain him to his owne use, as his owne goods and cattels for ever, without vexation, suit, or trouble of the owner, or of any other person. 32.H.8.13.

6 If any of the said keepers, Deputies, Bailiffes, Constables, Boroughholders, or Tithingmen, or three persons requested to be at the measuring of the said horse, doe refuse to doe as aforesaid, or doe not truly measure such horse, then enerie of them refusing to doe, or not doing his due tie therein, shall forfeit xl. s. to the King and in shewer, to be recovered by R. J. &c. wherein no W. &c. &c. 32.H.8.13.

7 If the Lords, owners, or possessors of forests and chases, or their officers, or the Constables, Headboroughs, Bailiffes, Boroughholders, and Tithingmen, within whose offices, precincts, and limits, the commons, mozes, marshes, heathes, and wast grounds, being out of forests and chases, do lie, do not yearly at the feast of St. Michael the Archangel, or within xv. daies after, effectually drive the said forests, chases, commons, mozes, &c. the said officers, &c. bailiffes, constables, headboroughs, &c. shall forfeit for every time the said dist shall be omitted xl. s. to the R. and J. &c. And it is lawfull for the said Lords, owners, &c. and for the said Constables, Bailiffes, &c. within the limits of their offices, to make like dist of the said forests, chases, commons, mozes, marshes, heathes, and wast grounds, at any other time of the yere, when and as often as they shall thinke meet. 32.H.8.13.

8 If in any of the said dists there shall be found any spaw, fillie, foal, or gelding, that shall be thought not able, or like to grow able to beare foles of a reasonable stature, or not able, or like to grow able to do profitable labours, by the discretio of the drivers, or the moze number of them, the same drivers shall cause the same beasts to be killed, and the bodies to be buried, or otherwise to be bestowed where no annoyance shall grow. 32.H.8.13.

9 Whosoever shall have, or put to pasture, any horse, gelding, or spaw, infected with scab or mange, into, or upon any forests, chases, mozes, marshes, heathes, commons, wast grounds, or common fields, shall forfeit for every horse, gelding, or spaw so infected, x. s. to the Lord of the Land where the offence shall be presented. 32.H.8.13. S. Just. of Peace 47.

10 Every Archbishop and Duke of this Realme, shall have, keepe, & maintaine, of their owne proper horses, and at their owne costs, seven stoned trotting horses for the saddle (being neither Cart nor Sumpter horses) enerie of the same horses to be three yeres old and upwards, and in height sixty handfuls (reckoning to every handful

handfull foure ynches of the Standard) to be measured from the nether part of the haire of the hofe, vnto the vpper part of the widerfons o: Shoulders. Every Marques and Earle, and every Bishop, whose Bishopricke is of the yerely value of a thousand pounds, o: aboue, ſhal find & maintaine ſixe ſtoned trotting hozſes for the Saddle, of the age & hight afozeſaid &c. Every Biſhop whoſe Biſhoprick is of the yerely value of a thouſand ſparkes, o: aboue, And every Vicount & Baron hauing lands, tenements, ſees, annuities, o: offices, for terme of his life, to the clere yerely value of a thouſand ſparkes, o: aboue, ſhal find & maintaine thre ſtoned trotting hozſes, &c. And every other Biſhop, Vicount, and Baron, not befoze mentioned, & alſo every other ſpirituall perſon hauing Benefices o: promotions to the yerely value of h. hundred ſparkes, and every temporal perſon hauing lands, tenements, ſees, annuities, o: offices, for terme of life, in his owne right, o: in his wiues, to the yerely value of 600. ſparkes, ſhal keepe and maintaine two ſtoned trotting hozſes for the ſaddle, vpon paine that every perſon afozeſaid, lacking the number of the ſaid hozſes to him limited, ſhal for. for every hozſe ſo lacking by the ſpace of thre moneths y. l. to the R. and J. to be recovered by A. J. &c. wherein no W. &c. C. P. &c. 33. H. 8. 5.

11 Every other ſpirituall perſon vnder the degre of a Biſhop, hauing Benefices, o: promotions to the clere yerely value of one hundred pounds o: aboue, and not to the yerely value of ſixe hundred ſparkes, and every other perſon Temporal, not befoze mentioned, whoſe wiſe (being not diuorced, nor willingly abſenting her ſelfe from him) doth weare any Coloure, o: Petticote of Silke, o: any Weluet in her Bartlet, o: in the lyming o: other part of her Coloure (other then in the cuſſes o: purſes) o: any Frenchwood, o: Bonet of Weluet with any habiliment, paſſe, o: edge of gold, pearle, o: ſtone, o: any chaine of gold about her necke, o: in her Bartlet, o: in any apparel of her bodie, ſhal haue, keepe, and maintaine, as is afozeſaid, one ſtoned trotting hozſe for the ſaddle, vpon paine of forfeiture for every time that any of them ſhal want by the ſpace of thre moneths one ſtoned trotting hozſe of the age and hight afozeſaid, y. l. to the R. and J. to be recovered by A. J. &c. wherein no W. &c. But heires within age being Wardes, whoſe lands, tenements, and hereditaments, amount to the yearely value of two hundred pounds, ſhal not be compelled by this Act, vntill they come to their full age, to keepe any hozſes, although their wiues weare any Coloure of ſilke, o: any Frenchwood o: Bonet of Weluet with any habiliment, paſſe, o: edge of gold, pearle, o: ſtone, o: any chaine of gold about their neckes in their partlets, o: in any apparel of their bodies. 33. H. 8. 5. S. 4. & 5. P. & M. 2. & Q. whether this be repealed.

12 If the ſonne and heire apparent of any Duke, Marques, Earle, Vicount, o: Baron, o: of any other perſon hauing lands &c. to the yerely value of ſixe hundred ſparkes, o: aboue, hath lands, tenements, hereditaments, ſees, offices, o: annuities for terme of life, in his owne right, o: his wiues, to the clere yearely value of ſixe hundred ſparkes, then he ſhal keepe and maintaine one trotting ſtoned hozſe for the ſaddle, in forme afozeſaid, vpon paine of for. of y. l. for every thre moneths that he ſhal want the ſame hozſe. But no ſuch ſonne and heire is compellable by force of this Act, to find o: keepe any hozſe in the life of his father, except he hath lands, tenements, annuities, ſees, o: offices, to the ſaid yerely value of ſixe hundred ſparkes. And every ſchire in any ſhire within this Realme, ſhal do his diligence & good endeavour to ſearch & know by vertue of this Office all defaults done o: committed by any perſon o: perſons in lacking of hozſes contrarie to this Act, as ſhal happen within the ſhire where he is ſchire, and ſhal once in the yere, viz. in the terme of St. Michael, certifie the ſaid defaults (if any be) into the Exchequer, by writing vnder his Seale, to the intent that proceſſ may be made againſt the offenders accordingly: And every ſuch certifiat of the ſchire ſhal be of as good force and effect

Keeping of hozſe by reſon of the wiues apparel.

The ſonne and heire of a Nobleman.

Inquire and certifie by the ſchire.

Horses, Mares.

effect against the offender, as any Information thereof made in the said Exchequer. And in case any shall be convicted upon such Certificats by confession or trial by course of the Law: then the Shirife making such certificat, shall have one moiety of the forfeiture, and the King the other moiety. Provided always, That no person shall be impeached, molested, or troubled for any offence done contrary to this Act, by A.B.I.P. or certificat of the Shirife, unless the same A.B.I.P. or certificat be made or had within one year next after the offence done contrary to this Act. 33. H.8.5. S. Iustices of Peace 48.

If the horse
be killed in the
K. service.

13 If any of the foresaid Horses happen to be killed, maimed, or lost in the Kings service, then the owner is at libertie at any time by the space of two years next after such chance, to provide other in their stead, without any penaltie. 33. H.8.5.

Transporting
of Horses into
foreign Regi-
ons.

14 If any person do sell, exchange, give, convey, or deliver into the Realme of Scotland, to the use of any Scottish man, or into any place beyond the Sea, out of this Realme, or the dominions of the same, any Horse, Gelding, or Mare, without speciall licence therefore obtained of the King, or of his heires, under the great seale or privie Signet: Or if any person do sell, exchange, give, or deliver, to any Scottish man within this Realme of England, or Wales, the Towne of Berwicke, or the Marches of the same, to the intent to be conveyed into Scotland any horse, gelding, or mare, or do convey or carrie any Horse, Gelding, or Mare, into any foreign parts beyond the Sea, without like speciall licence obtained of the King, or of his heires, under the great Seale, or privie Signet: then the same person shall forfeit to our Soueraigne Lord and his heires the same Horse, Gelding, or Mare, so carried or conveyed, and shall also lose forty pounds for every such Horse, Gelding, or Mare, so conveyed, to the King and I. to be recovered by A. I. &c. wherein no W. &c. E. P. &c. And also every person so offending, shall suffer imprisonment by the space of one whole year. And it shall be lawfull to every person being the Kings subject, to arrest and imprison every Scottish man, and every other person which shall lead or convey contrary to the meaning of this act, any such Horse, Gelding, or Mare, out of this Realme, into Scotland, or into any other foreign place beyond the sea, other then such persons as shall have sufficient warrant from the King, or his heires, under his or their great Seale, or privie Signet. But this Act shall not extend to any person which shall convey any Horse, Mare, or Gelding, into Scotland, or into foreign parts beyond the sea, to serve the King in his Warres with the same. 1. Ed. 6. 5. Eliz. 19.

Licences to
transport hor-
ses, & licences
to give licence

15 But if the King, his heires or successors, under his great Seale or privie Signet, doe give licence to any person or persons, to carrie any Horses, Mares, or Geldings, into Scotland, or into any other parts beyond the Sea, or else doe give authoritie or commaundment to any person or persons by Warrant under the great Seale, to licence any other person or persons to carry or convey any horses, mares, or geldings, into Scotland, or into any parts beyond the Sea: When it shall be lawfull as well to all persons having such licence under the Kings great Seale, or privie Signet, as to every other person having licence in writing under the Seale of such person or persons, to whom the King shall give authoritie or commaundment in forme abovesaid, to licence other, to carry or convey such number of Horses, Geldings, or Mares, or any of them into Scotland, or into any of the parts beyond the Sea, as shall be mentioned in any such licences. 1. Edw. 6. 5. Eliz. 19.

Licence shew-
ed to the war-
dens of the
Marches.

16 Every such person which shall be licensed according to this Act, to carrie or convey any Horses, Mares, or Geldings, into Scotland, shall before the same carriage, or conveyance, upon the paine of forfeit of the said Horse, &c. or the double value thereof to the King and I. &c. shew his said licence to one of the three War-
dens

Horses, Mares. Hospitals, and Charitable vses. 257

dens of the three Marches of England, to the intent that one of the said Wardens shall cause the number of the said Horses, &c. so licenced to be conveyed into Scotland, not onely to be balenjed in a Booke, to remaine in his owne custodie, but also to be indorsed and written on the bakside of the said licence, and the same indorsement to be signed with the hand of the said Warden. 1.Edw.6.5. 5.Eliz.19.

17 But this Act shall not be preiudiciall to the Master of the Kings horses, for such things and commodities as shall concerne his Office. And notwithstanding this Act, the Warden of the five Ports may yerely at his pleasure giue six horses or geldings (and no more within one yere, at one or diuers times, vpon like paine as aforesaid) to any person or persons in the parts beyond the seas, being in amitie with the K. or his successors. And it shalbe lawfull to any of the K. subjects, to carry or send into any parts beyond the sea, any Mares, whereof the price of any one Mare so to be carried, doth not exceede 5.s. in such maner as Mares being of the prices of 5.s. viij. s. bin or might haue bin conveyed ouer the seas before the making of this act (viz. per stat. 11.H.7.13.) any thing in this act, or any other act &c. notwithstanding. 1.Ed.6.5.5.El.19.

Warden of the five Ports.

Mares of 5.s. price may be transported.

1 Concerning selling of Horses, appointing a place, and paying toll for them in a Faire or Market. S.Faires 4.5.6.7.8.

2 Neither the Horse-stealer, nor the accessorie before or after, shal haue his clergie. S. Clergie 13.

3 It is felony to sell, exchange, or deliuer in Scotland, or the batable ground, any Horse, Gelding, &c. S.Felonie.

Hospitals, and Charitable vses.

The Hospitals, which be of the patronage and foundation of the King, the Ordinaries by vertue of the K. Commissions, to them directed, shal enquire of the maner, and of the foundation of the said Hospitals, and of the gouernance & estate of the same, and of all other matters necessarie and requisite in this behalfe, and the inquisitions thereof taken, shall certifie in the Chauncery. And as to other Hospitals, which be of another foundation and patronage then of the K. the Ordinaries shall enquire of the maner of the foundation, estate, and gouernance of the same, & of all other matters and things necessarie in this behalfe: and vpon that make therof correction and reformation after the lawes of holy Church as to them belongeth. Anno 2. H.5.1.

Visitation of Hospitals.

2 All and euery person and persons, seised of an estate in fee simple, their heires, executors, or assignes, at his or their wills and pleasure, shall haue full power, strength, licence, and lawfull authoritie, at any time during the space of xx. yeres next ensuing, by deed inrolled in the high Court of Chauncerie, to erect, found, and establish one or more Hospitals, Measons de dieu, abiding places, or houses of correction, at his or their will and pleasure, as well for the finding, sustentation, and reliefe of the maimed, poore, needy, or impotent people, as to set the poore to worke, to haue continuance for ever, and from time to time to place therein such head and members, and such number of poore, as to him, his heires and assignes, shall seme conuenient: And the same Hospitals, or houses so founded, shalbe incorporated & haue perpetuall successions for ever, in fact, deed, and name, and of such head, members, and numbers of poore, needy, maimed, or impotent people, as shall be appointed, assigned, limited, or named by the founder or founders, his or their heires, executors, or assignes, by any such deed inrolled: And such Hospital, Meason de dieu, abiding place, or house of correction, and the persons therein placed, shalbe incorporated, named, and called by such name, as the said founder or founders, his heires, executors,

It shalbe lawful for any person to erect an Hospital, or house of correction.

Incorporated by the founder

Named by the founder.

Hospitals, and charitable vses.

**In body incorpo-
rat & politike.** executors, or assigns, shall so limit, assigne, and appoint: And the same Hospitall, Meason de dieu, abiding place, or house of correction, so incorporated and named, shall be a bodie incorporated and politike, and shall by that name of Incorporation, haue full power, authoritie, and lawfull capacite and abilitie to purchase, take, hold, receive, enjoy, and haue to them and to their successors so ever, as well goods and chattels, as manors, lands, tenements, and hereditaments, being stretch of any person or persons whatsoever: so that the same exceed not the pecy value of two hundred pounds above all charges and reprises, to any one such abiding house, Hospitall, Meason de dieu, or house of correction: And so as the same or any part thereof be not holden of our Soueraign Lady the Quene, her heires, or successors, immediatly in chiefe, or else of our said Soueraigne Lady the Quene, or any other persō by knights seruice, without licence or writ of Ad quod damnum, or the Statute of 25. Edmunde, or any other statute or law to the contrarie notwithstanding. 39. Eliz. 5.

**In Hospital
may sue and
be sued.** 3 And the same Hospitall, Meason de dieu, abiding place, or house of correction, & the persons so being incorporated, founded, and named, shall haue full power and lawfull authoritie by the true name of the incorporation thereof, to sue and to be sued, implead, and to be impleaded, to answer and to be answered vnto, in all manner of courts and places that now are, or hereafter shall be within this realme, as well temporal as spiritual, in all manner of suits whatsoever, and of what nature and kind soever such suits or actions be or shall be. 39. Eliz. 5.

**In Hospital
shall haue a
common Seale.** 4 And the same Hospitall, Meason de Dieu, abiding place, or house of correction, shall haue and enjoy so ever such a common Seale or Seales, as by the said founder or founders, his, or their heires, executors, or assigns, shall be in writing vnder his or their hand and seale assigned, named, or appointed: whereby the same Incorporation shall or may seale any manner of instrument touching the same incorporation, and the lands, tenements, hereditaments, goods, or other things thereto belonging, or in any wise touching or concerning the same. And further shall be ordered, directed, and visited, placed, or vpon iust cause displaced by such person or persons, bodies politike, or incorporated, their heires, successors, or assigns, as shall be nominated, or assigned, by the founder or founders thereof, their heires, or assigns, according to such rules, statutes, and ordinances, as shall be set forth, made, deuised, or established by the said founder or founders, their heires, or assigns, in writing vnder his or their hand and seale, not being repugnant or contrarie to the lawes and statutes of this realme: any law, statute, custome, vsage, or other thing whatsoever to the contrary in any wise notwithstanding. And it shall be lawfull to the founder or founders, his and their heires or assigns, vpon the death or removing of any head or member of any such incorporation to place one other in the roome of him that dieth, or is removed, successiuelly so ever. 39. Eliz. 5.

**Leases made
by hospitals.** 5 Provided alwaies, that all leases, graunts, conueiances, or estates, to be made by any incorporation, so to be founded, as aforesaid, exceeding the number of xx. yerres, and that in possession, and whereupon the accustomed pecy rent, or more, by the greater part of xx. yerres next before the making of such lease, shall not be reserved and pecy payable, shall be void. 39. Eliz. 5.

**Others right
sued.** 6 Saving to all persons, bodies politike and incorporate, their heires and successors (other then the founders and givers, their heires and successors) all such right, title, claime, possession, rents, seruices, commons, demands, interest, and profits, which they or any of them shall haue, or of right ought to haue, or, in, or to any the lands, tenements, or hereditaments, hereafter to be given, limited, or assigned in forme aforesaid, in as ample manner, as if this statute had neuer bene had or made. 39. Eliz. 5.

7 Provided also, that this Act, or any thing therein contained, shall not extend to

to enable any person or persons, being within age, women couert without their husbands, or of non sanar memorie, to make any such Copozation, or to endow the same: Any thing in this present Act to the contrarie thereof, in any wise notwithstanding. 39. Eliz. 5.

Certaine persons not enabled to erect Hospitals &c.

8 Provided alwaies, that no such Hospitall, Meason de Dieu, abiding place, or house of correction, shalbe erected, founded, or incorpozated by force of this Act, unlessse vpon the foundation or erection thereof, the same be endowd for ever with lands, tenements, or hereditaments, of the cleere yerely value of x.l. by the year. 39. Eliz. 5.

10. l. land at the least.

9 Provided also, that no such incorpozation to be found by force of this act, shall at any time hereafter do, or suffer to be done, any act or thing whereby or by meanes whereof any the lands, tenements, hereditaments, stocke, goods, or chattels of such incorpozation, or any estate, interest, possession, or proprietie of or in the same, or any of them shall be vested or transferred in or to any other whatsoeuer, contrary to the true meaning of this act: And that such construcion shal be made vpon this act, as shalbe most beneficiall and auailable for the maintenance of the poore, and for relieving and auoiding of all acts and deuices to be inuented, or put vze, contrarie to the true meaning of this act. 39. Eliz. 5.

No lands or goods of an Hospitall shall be transferred to any other.

Construcion of this Act.

10 Whereas lands, tenements, rents, annuities, profits, hereditaments, goods, chattels, money, and stockes of money haue ben heretofore given, limited, appointed, and assigned, as well by the Quene and her Progenitozs, as by sundry other wel disposed persons, some for reliefe of aged, impotent, and poore people, some for maintenance of sicke and maimed Souldiers and Spairners, Scholes of Learning, free Scholes, and Schollers in Uniuersties, some for repaire of Bridges, Ports, Hauens, Causeyes, Churches, Sea Bankes, and High waies, some for education and preferment of Orphanes, some for or towards reliefe, stocke, or maintenance for houses of correction, some for mariages of poore maids, some for suppoztation, aide, and helpe of young tradesmen, handycrafts men, and persons decayed, and others for reliefe or redemption of prisoners or captiues, and for aide or ease of any poore inhabitants, concerning paiement of fistones, setting out of Souldiozs, and other Tares: It shall and may be lawfull to and for the L. Chancelor or Keeper of the Great Seale of England for the time being, and for the Chancelor of the Duchie of Lancaster, for the time being, for lands within the Countie Palantine of Lancaster, from time to time, to award Commissions vnder the great Seale of England, or the Seale of the Countie Palantine, as the case shal require, into all or any part or parts of this Realm respectiuelly, according to their seuerall Iurisdictions, as aforesaid, to the Bishop of euery seuerall Diocesse and his Chancelor (in case there shal be any bishop of that Dioces, at the time of awarding of the same Commissions) and to other persons of good & sound behauior, authorising them thereby, or any liig. or moze of them, to enquire as well by the othes of twelue lawfull men or moze of the Countie, as by all other good & lawfull waies & meanes, of all and singular such gifts, limitations, assignments, and appointments aforesaid, and of the abuses, breaches of trusts, negligences, mis-employments, not employing, concealing, defrauding, mis-conuertyng, or mis-gouernment of any lands, tenements, rents, annuities, profits, hereditaments, goods, chattels, money, or stockes of money, heretofore given, limited, appointed, or assigned, or which hereafter shall be giuen, limited, appointed, or assigned, to or for any the charitable and godly vses before rehearsed. And after the said Commissioners, or any foure, or moze of them (vpon calling the parties interested in any such landes, tenements, rents, annuities, profits, hereditaments, goods, chattels, money, and stockes of money) shall make enquirie by the othes of twelue men, or moze of the said Countie (whereunto the said parties interested shall and may haue, and take their lawfull challenge

Hospitall.

Commissions to enquire of the gift of lands & goods to charitable vses.

Foure Commissioners at the least.

The enquirie

Hospitals, and charitable vses.

- The commissi-
oners Dyders** challenge and challenges) and vpon such enquire, hearing, and examining thereof, let done such Dyders, Judgements, and Decrees, as the said lands, tenements, rents, annuities, profits, goods, chattels, money, and stockes of money, may be duly and faithfully employed to and for such of the charitable vses & intents, before rehearsed, respectiue, for which they were giuen, limited, assigned, or appointed, by the donors and founders thereof: Which Dyders, Judgements, and Decrees, not being contrarie or repugnant to the Dyders, Statutes, or Decrees of the donors or founders, shall stand firme and good, according to the tenor and purport thereof, and shall be executed accordingly, vntill the same shall be vndone or altered by the Lord Chawncelloz of England, or Lord Keeper of the great Seale of England, or the Chawncelloz of the Countie Palantine of Lancaster, respectiue, within their severall iurisdicions, vpon complaint by any party grieved, to be made to them. 43. Eliz. 4.
- The commissi-
oners Dyders** shall be executed.
- The commissi-
oners Dyders** allowed.
- Colledges,** 11 Provided also, that neither this act, nor any thing therein contained, shall in any wise extend to any lands, tenements, rents, annuities, profits, goods, chattels, money, or stockes of money, giuen, limited, appointed, or assigned, or which shall be giuen, limited, appointed or assigned, to any Colledge, Hall, or House of Learning, within the Universities of Oxford and Cambridge, or to the Colledges of Westminster, Eaton, or Winchester, or any of them, or to any Cathedrall or Collegiat Church within this Realme. 43. Eliz. 4.
- Citie, Towne** 12 Provided also, that neither this Act shall extend to any citie or towne corporate, or to any the Lands or Tenements giuen to the vses aforesaid within any such citie or towne corporate, where there is a speciall Gouernour or Gouernours appointed to gouerne or direct such Lands, Tenements, or things disposed to any the vses aforesaid, neither to any Colledge, Hospitall, or free Schole, which haue speciall Writors, or Gouernours, or Quarters, appointed them by their founders. 43. Eliz. 4.
- Hospitall, free
Schole.**
- Dybinaries** 13 Provided also, that neither this act, nor any thing therein contained, shall be in any way preiudiciall or hurtfull to the iurisdiction of the Dybinarie, or power of the Dybinarie, but that he may lawfully in euery cause execute and performe the same, as though this act had neuer bin had or made. 43. Eliz. 4.
- Jurisdiction.**
- Pone shall be** 14 Provided also, that no person or persons that hath or shall haue any of the said lands, tenements, rents, annuities, profits, hereditaments, goods, chattels, money, or stockes of money in his hands or possession, or both or that pretend title therunto, shall be named a Commissioner or a Juror for any the causes aforesaid, or being named, shall execute or serue in the same. 43. Eli. 4.
- Commissioner** 15 Provided also, that no person or persons which hath purchased or obtained, or shall purchase or obtaine vpon valuable consideration of money or land any estate or interest, of, in, to, or out of any lands, tenements, rents, annuities, hereditaments, goods, or chattels, that haue bin or shall be giuen, limited, or appointed, to any the charitable vses aboue mentioned, without fraud or couin, hauing no notice of the same charitable vse, shall not be impeached by any Decrees or Dyders of Commissioners aboue mentioned, for, or concerning the same his estate, or interest. And yet neuertheless, be it enacted, That the said Commissioners, or any foure, or moze of them, shall and may make Decrees and Dyders, for recompence to be made by any person or persons, who being put in trust, or hauing notice of the charitable vses aboue mentioned, hath or shall breake the same trust, or defraud the same vses, by any Conueiance, Gift, Graunt, Lease, Demise, Release, and Conuersion whatsoeuer, and against the Heires, Executors, and Administrators, of him, them, or any of them, hauing Assets in law or equitie, so far as the same Assets, will extend. 43. Eliz. 4.
- Recompence** 16 Provided also, that this Act shall not extend to giue power or authori-
ty by those which
break the trust

tie to any Commissioners before mentioned, to make any Orders, Judgements, Decrees, for or concerning any Mannors, Lands, Tenements, or other Hereditaments assured, conveyed, granted, or come unto the Quenes Maestie, to the late King Henry the eight, King Edward the first, or Quene Mary, by Act of Parliament, Surrender, Exchange, Relinquishment, Escheate, Attainder, Conveyance, or otherwise: And yet nevertheless, be it enacted, That if any such Mannors, Lands, Tenements, or Hereditaments, or any of them, or any Estate, Rent, or Profit thereof, or out of the same, or any part thereof, have or hath been given, granted, limited, appointed, or assigned, to, or for any the charitable vses before expressed, at any time sithence the beginning of her Maesties Raigne: That then the said Commissioners, or any four, or more of them, shall and may as concerning the same Lands, Tenements, Hereditaments, Estate, Rent, or Profit, so given, limited, appointed, or assigned, proceed to enquire and make Orders, Judgements, and Decrees, according to the purport and meaning of this Act, as before is mentioned: The sayd last mentioned Prouiso notwithstanding.

43. Eliz. 4.

17 All Orders, Judgements, and Decrees of the sayd Commissioners, or of any four, or more of them, shall be certified vnder the Seales of the sayd Commissioners, or any four, or more of them, eyther into the Court of the Chancerie of England, or into the Court of the Chancerie, within the Countie Palantine of Lancaster, as the case shall require, respectiue, according to their severall Iurisdicions, within such convenient time, as shall be limited in the sayd Commissions. And the said Lord Chancelor, or Lord Keeper, and the sayd Chancelor of the Duchie, shall and may within their sayd severall Iurisdicions, take such order for the due execution of all or any of the said Judgements, decrees, and orders, as to either of them shall seeme fit.

Order for the execution of the Commissioners Decrees. A remedie for any person grieved.

18 And if after any such Certificat or Certificats made, any person or persons shall find themselves grieved with any of the said orders, Judgements, or decrees, then it shall and may be lawfull to and for them, or any of them, to complaine in that behalfe vnto the said Lord Chancelor, or Lord Keeper, or to the Chancelor of the said Duchie of Lancaster, according to their severall Iurisdicions for redresse therein: And vpon such complaint, the sayd Lord Chancelor, or Lord Keeper, or the Chancelor of the Duchie may according to their said severall Iurisdicions, by such course, as to their wisdomes shall seeme meetest, the circumstances of the case considered, proceed to the examination, hearing, and determining thereof, and vpon hearing thereof, shall and may adnull, diminish, alter, or enlarge the sayd orders, Judgements, and Decrees of the sayd Commissioners, or any four or more of them, as to either of them in their said severall Iurisdicions, shall be thought to stand with equitie and good conscience, according to the true intent and meaning of the Donors, and Foundors thereof: And shall and may take and allow good costs of suit, by their discretions, against such persons, as they shall find to complain vnto them, without iust and sufficient cause, of the orders, Judgements, and decrees, before mentioned. 43. El. 4.

19 An Act made Anno 31. El. 6. To reforme decreits and breaches of trusts, touching Mannors given to charitable vses, shalbe from henceforth repeales. And yet so much of the sayd Act as concerneth the execution of Orders, Judgements, and decrees, heretofore made by Commissioners, assigned by vertue of the said Act, and examination; hearing, and determining of the sayd Orders, Judgements, and decrees, by such Commissioners heretofore made, shal stand and remaine in force, onely, as for and concerning such Judgements, and decrees, as heretofore have been made by vertue of the same Act, and of Commissions thereupon awarded. 43. Elizabeth. 9.

Cost of suit against the Complainers.

Hospitals, and charitable vses.

How money
given and to
be given for
the binding
out of Appen-
tices of poore
children shalbe
employed and
by whom.

20 All summes of money freely given at any time within thre yeares last past, or hereafter to be given by any person or persons to be continually employed for the binding out of Apprentices of the poorest sort of children unto needfull trades and occupations shall for ever from henceforth continue, and be from time to time used and employed to such uses, intents, and purposes onely, and by such persons, and in such maner and forme as shall be hereafter by this present act specified and declared, except the same have bene or shall be otherwise ordered or disposed by the giuers thereof: That is to say, that all Corporations of all Cities, Boroughes and Townes Corporat, by what name or names soever they shall be knowne or incorporated, and in Townes or Parishes not incorporated the Parson or Vicar of euerie such Towne or Parish: together with the Constable or Constables, the churchwarden or Churchwardens, Collectors and the Overseers for the poore for the time being, or the most part of them, where any such summe or summes of money are already given, or shall be hereafter given to be so employed, shall from time to time within the sayd severall Cities, Boroughes, Townes and Parishes respectively, haue the nomination and placing of such apprentices, and the guyding and employment of all such moneyes, as haue ben heretofore so given, or which hereafter shall be given to and for the continuall binding forth of such and so many Apprentices, and in such sort as is already, or shall hereafter be so given and appointed, either by the last will and Testament, or by any writing or writings vnder the hands and Seales of any person or persons which hath already or hereafter shall so giue any summe or summes of moneyes vnto the good and godly purposes and intents aforesayd. And if the Corporation of any such Cities, Boroughes or Townes Corporat, by what name or names soever they shall be called or incorporated, or any the person or persons in the other Townes and Parishes aboue mentioned appointed by this act to haue continually the guyding and employment of such summes of moneyes so already given or hereafter to be given to the intents and purposes aforesayd, shall at any time hereafter wilfully forbear or refuse according to their duties in this behalfe to employ such summes of moneyes to be given, or to be given as aforesayd for the binding out of such Apprentices, by means of which wilful forbearance or refusing, the sayd money shall not be employed accordingly, What then they and euery of them so offending contrarie to this act, shall forfeit for euerie such offence the sum of thre pounds five shillings and eight pence of lawfull English money, the one halfe thereof to be given to the Mayor of the Towne, or Parish where such fault or offence shall be done or committed, the other Partie to the partie that shall sue for the same: And that euerie man that will, may and shall be admitted to sue for the same Partie for the use and benefit of the sayd poore, and shall be also admitted to sue for the forfeiture of the other Partie in any of the Kings Maiesties Courts of Record, to his owne benefit and behalfe by Action of Debt, B. P. or J. wherein no P. W. of Law or C. shall be admitted or allowed. 7. Jac. 3.

The sort of
those which
of dutie ought
and yet refuse
to employ the
money.

The partie
which recei-
ueth the mo-
ney shall be
bound with
sureties to re-
paye it.

21 And for that all moneyes so given may the better continue to and for the purposes aforesaid the Mayor, Alders or Dame of euerie such apprentice or apprentices that shall receiue any such summe or summes of money as aforesayd, shall become bound with one or two sufficient sureties, by Bond or Obligation in double the summe, which they and euery of them shall so receiue with such apprentice or apprentices, as aforesayd, vnto the Corporation of any such Citie or Towne Corporate, by what name or names soever they shall be called, or incorporated, or to such person or persons in the other Townes and Parishes not incorporated, appointed by this Act, to haue continually the guyding and employment of all such summes of money so already given or hereafter to be given to the intents and purposes aforesayd respectively: Upon condition to repay such summe or summes of money as he or she shall so receiue with any such Apprentice or Apprentices at the end of seven

seven yeares next ensuing the date of the said Obligation, or within thre Moneths next after the end of the sayd seven yeares. And if such Apprentice shall happen to dye within the sayd space of seven yeares, then within one yeare after his or her sayd death. And of the Master, Mistresse or Dame, to whom any such apprentice or Apprentizes shall be bound, shall happen to dye within the sayd space of seven yeares, then within one yeare next after his or her sayd death: So as the sayd moneys may be againe imployed for placing such Apprentice with some other person of the same trade, to serue out the residue of the yeares of his or her former Apprentishippe, by the discretion of the sayd persons, trusted as aforesayd. 7. Iacob. 3.

22 Euerie such summe or summes of money so giuen or to be giuen in manner and forme and to and for the good vles and intents aforesayd, shall alwayes bee put forth and imployed by the parties aforesayd, that by this Act shall haue the disposing and imployment thereof, within thre Moneths at the furthest, after such moneys shall come to the hands of the sayd parties that by the intent and true meaning of this Act, sought to dispose and imploy the same. And if at such times there shall not be found fit and apt persons to be bound out Apprentices as aforesayd within the sayd Cities, Townes and Parishes where such such summes of money are or hereafter shall be giuen to be imployed as aforesaid is declared: Then such of the poorest Children of any of the Parishes next adioyning shall be bound Apprentices in manner as aforesayd, as by the care and good discretions of the parties, which by this Act haue the disposing and imployment of the sayd summes of money in the Cities, Townes and Parishes, where it was first giuen to bee imployed, shall be thought fit and convenient, taking such Bonds and Obligations of the persons that shall receiue the same summes of money so put forth, and with such sureties, and vpon such Conditions as is aboue mentioned and declared. Provided alwayes that choyce from time to time be made of the poorest sorts of Children of euerie such Citie, Towne or Parish where such moneys shall bee giuen, and whose Parents are least able to relieue them. And that no such Apprentice shall be aboue the age of fifteens yeres, when he or she shall be so first bound out an Apprentice. 7. Iac. 3.

within what time the money shall be put forth.

A promise if there be no fit person in the parish to be Apprentice.

What sort of persons shall be Apprentices,

23 And for the better execution of this Act all and euerie person and persons appointed by this Act, to haue the imploying and disposing of any summe or sums of money so giuen or to be giuen as aforesayd, within any Towne or Parish not Corporat, shall after the end of this present Session of Parliament, once euerie yeare in the Easter weeke, or within one Moneth next after Easter day, make a true and perfect accompt, before foure, thre, or two Iustices of the Peace, dwelling in or next to euerie of the sayd Townes or Parishes of all such summe and summes of money, as they or any of them haue imployed in binding of Apprentices by vertue of this Act, and of all Bonds and Obligations taken for the payment thereof, And also of all such summes of money as then shall happen to bee remayning in their hands not imployed: And also shall at the making and yielding vp of the sayd Accompt, or within tenne dayes then next following, yield and deliuer vp unto such, as shall happen next to succede them, or then to be in the sayd townes or places, all such Obligations and Bonds, as by them or any of them, haue bene before that time taken to the vles aforesayd: As also all summes of money, remayning in their or any of their hands, to bee imployed as aforesayd, and not imployed at the time of the yielding vp of the sayd accompt. 7. Iacob. 3.

An accompt shall be made of the money imployed,

24 If any of the parties appointed and trusted by this Act to haue the imploy-

Hospitals, and charitable vses.

A remedie
where any
partie trusted
shall breake
the trust, or
commit any
offence.

ment and disposing of any of the sayd summes of money so giuen, or to be giuen as aforesaid, that in any point or degree break the trust & confidence in them in this behalfe reposed, or that commit any other misdemeanour or offence in misemploying of the sayd summes of money or any part thereof, or in doing any other Act or Acts, contrarie to their dutie & the true intent and meaning of this Act, for which there is not by this Act any penaltie giuen or appoynted, then it shall and may be lawfull for any person or persons whatsoever in the behalfe of the Mayor of any such Citie, Borough, or Parish, to exhibit his petition to the Lord Chauncello, or Lord Keeper of the great Seale of England for the time being, touching the same: Which Lord Chauncello, or Lord Keeper of the great Seale of England for the time being shall thereupon haue full power and authoritie to award out a Commission out of the high Court of Chauncerie vnder the great Seale of England to such and so many persons as his Lordshippe shall thinke meet, to enquire, heare, and determine the sayd offences, and euerie of them. And if the sayd Commissioners, or the most of them shall find, that any summe or summes of money so giuen or to be giuen are lost, impayred, wasted or diminished, then they or the most part of them shall likewise haue power by vertue of this act, and of their said Commission, to rate, raise and collect the sayd summe of money so lost, impayred, wasted or diminished vpon such person and persons in places not incorporated as by this Act are appoynted to haue the guiding and ordering of the sayd moneys, if they or any of them haue sayled in their sayd duties in that behalfe, or otherwise vpon the able Inhabitants of such Citie, Towne or Parish to where the same shall so happen, as in the discretion of the sayd Commissioners, or the greatest part of them shall be thought fittest, and to returne the sayd Commission and the manner of the execution thereof, into the sayd high Court of Chauncerie within thre moneths next after the execution thereof. And if any person or persons shall find himselfe grieved by any thing done by the sayd Commissioners, then vpon complaint thereof made in the high Court of Chauncerie, the sayd Lord Chauncello, or Lord Keeper for the time being, shall haue full power and authoritie to order and decree the same, as to his Lordship shall be thought most fit to stand with equitie & good conscience. 7. Iac. 3.

A remedie for
any partie
grieved by the
Commissioners
on vs.

1 For Leases made by the Master and Gardian of an Hospitall. S. Ecclesiasticall 7.

2 Remedie for the Master of the Hospitall of Saint Leonard in Yorke. See 2. H. 6. 2.

Hue and Crie.

fresh suit.

If any be suspected of the death of any man, being in danger of life, he shall be taken and imprisoned. And Hue shall be lenied for all Murders, Burglaries, and for men slaine, or in perill to be slaine, as elsewhere is vsed in England, and all shall follow the Hue and Crie, as nere as can be. And he that doth not, and is convicted thereupon, shall be attached to be before the J. of Gaole deliuerie. Officiu Coronatoris 3. E. 1. Immediately after any Felonies and robberies be committed, fresh suit shall be made from towne to towne, and from countrey to countrey: And Enquests shall be taken (if need be) by him that is chiefe Lord of the Town, and after in Hundreds, Franchises, and in the Countie, and sometime in two, thre, or foure Counties, in case where Felonies be committed in the Sparches of Shires, so that

offen

offendours may be attainted, and suffer punishment. And if the Countrey will not answer for the bodies of such offendours, the people dwelling in euerie such Countrey, shall answer for the robberies done, and the damages, so that the whole Hundred, where the robbery shall be done, with the franchises which be within the same Hundreds, shall answer for the robberies done. And if the robbery be done in the division of two Hundreds, then both the Hundreds, together with the franchises within the precinct of them, shall answer. And the Countrey shall haue no longer time after the robbery and felony committed but xl. daies (28.E.3.11.) within the which they must agree, for the robbery and offence, or else they shall be answerable for the bodies of the offendours. Winch. 13.E.1.1.2.S.Felonie 1.

The countrey shall answer, if the robbers be not taken.

2 The Inhabitants and residents of euerie or any such hundred (with the franchises within the precinct thereof) wherein negligence, fault, or default of pursuit and fresh suit after Huy and Crie made, shall happen to be, shall answer and satisfy the one moiety or halfe of all and euerie such summe and summes of money and damages, as shall by force and vertus of the said Stat. (viz of 13.E.1.& 18.E.3.) or either of them, be recovered or had against, or of the said Hundred, with the franchises therein, in which any robbery or felony shall at any time hereafter be committed or done: And the same moiety shall and may be recovered by A. of debt, Bill, Plaint, or Information, in any of the M. Courts of Record at Westminster, by, and in the name of the Clerks of the peace for the time being, or, or in euerie such Countie within this Realme, where any such robbery and recovery by the parties or parties robbed, shall be, without naming the Christian name or surname of the said Clerke of the peace. Which moiety so recovered, shall be to the only use and behoofe of the Inhabitants of the said Hundred where any such robbery or felony shall be committed or done. 27.El.13.

The inhabitants of a hundred where fresh suit shall cease chargeable.

The Clerke of the peace shall prosecute the suit.

3 If any Clerke of the peace, or, or in any Countie within this Realme, shall at any time hereafter commence or prefer any such suit, action, or information, or shall after the same so sued, commenced, or preferred, happen to die, or to be removed out of his office, before recovery and execution had, yet no such Action, suit, Bill, plaint, or information, sued, commenced, or preferred, shall by such displacing or death be abated, discontinued, or ended. But it shall and may be lawful to and for the clerke of the peace next succeeding in the said Countie, to prosecute, pursue, and follow all and euerie such Action, Bill, plaint, suit, and Information for the causes aforesaid, so hanging and depending, in such manner and forme, and to all intents and purposes, as the Clerke of peace might haue done, which first commenced or preferred the said suit, bill, plaint, information. 27.El.13.

The Clerke of the peace commencing a suit, both die, or is removed

4 And although the whole Hundred, where such robberies and felonies are committed with the liberties (within the precinct thereof) are by the said two former Statutes charged with the answering to the parties robbed, his damages: yet nevertheless, the recovery and execution by and for the parties or parties robbed, is had against one or a very few persons of the said Inhabitants, and he, and they so charged, haue not heretofore by law had any meane or way, to haue any contribution of or from the residue of the said Hundred, where the said robbery is committed, to the great impoverishment of them, against whome such recovery or execution is had. For remede whereof, be it enacted etc. that after execution of damages by the party or parties so robbed had, It shall and may be lawful (upon complaint made by the party or parties so charged) to and for two Justices of the peace (whereas one to be of the Quorum) of the same Countie, inhabiting within the said Hundred, or neere unto the same, where any such execution shall be had, to assess and take ratably, and proportionably, according to their discretions, all and euerie the Townes, Parishes, Villages, and Hamlets, as well of the said Hundred where any such robbery shall be committed, as of the liberties within the said Hundred,

A remede for those against who execution is had to haue contribution of the residue of the hundred

Huy and Crie.

to and towards an equall contribution to be had and made, for the reliefe of the said Inhabitant or Inhabitants, against whom the partie or parties robbed, before that time, had his or their execution. And that after such Taxation made, the Constables, Constable, Headboroughes, or Headborough of euerie such Towne, Parish, Village, and Hamlet, shall by vertue of this Act haue full power and authoritie within their seuerall limits, ratably and proportionably to take and asseesse according to their abilities, euerie inhabitant and dweller in euerie such town, parish, village, and hamlet, for and towards the payment of such taxation and asseessment, as shalbe so made vpon euerie such town, parish, village, and hamlet, as aforesaid, by the said Iustices. And if any Inhabitant of any such town, parish, village, or hamlet, shall obstinately refuse and denie to pay the said taxation and asseessment so by the said Constables, Constable, Headboroughes, or Headborough, taxed and asseessed: When it shall and may be lawfull to and for the said Constables and Headboroughes, and euerie of them within their seuerall limits and iurisdiccions, to distraine all and euerie person and persons so refusing and denying, by his and their goods and chattels, and the same distraine to sell, and the money thereof coming to retaine to the vse aforesaid. And if the goods or chattels so distrained and sold, shalbe of more value then the said taxation shall come vnto, then the residue of the said money ouer and aboue the said taxation, shall be deliuered vnto the said person or persons so distrained. 27. Eliz. 13.

Distraine and sale thereof.

The Constables shall deliver the contribution money to the Iustices, and they to the parties.

5 All and euerie the said Constables and Headboroughes, after that they haue within their seuerall limits and iurisdiccions leuted and collected their sayd rates and summes of money so taxed, shall within tenne daies after such collection, pay and deliuer the same ouer vnto the said Iustices of peace, or one of them, to the vse and behoefe of the said inhabitant or inhabitants, for whom such rate, taxation, or asseessment shalbe had or made, as aforesaid: Which money so paid, shall by the Iustices or Iustice, so receiuing the same, be deliuered ouer (vpon request made) vnto the said inhabitant or inhabitants, to whose vse the same was collected. 27. Eliz. 13.

Leuying of contribution in the hundred where default of pursuit shall be.

6 And And the like taxation, Assessement, leuying by distraine and payment, as aforesaid, shall bee had and done with euerie Hundred where default or negligence of pursuit and fresh suit shall bee, for and to the benefit of all and euerie Inhabitant or Inhabitants of the same Hundred, where such default shall bee, that shall at any time hereafter by vertue of this Act, haue any damages or money leued of them, for, or to the payment of the one moiety or halfe of the money recovered against the said Hundred, where any robberie shall bee hereafter committed. 27. Eliz. 13.

No penaltie where any of the offenders be apprehended.

7 Provided that where any robberie is or shall be hereafter committed by two or a greater number of malefactors, and that it happen any one of the said offenders to be apprehended, by pursuit to be made, according to the said former mentioned Lawes and Statutes, or according to this present Act, that then, and in such case, no Hundred or Franchise shall in any wise incurre or fall into the penaltie, losse, or forfeiture, mentioned either in this present Act, or in any the said former Statutes, although the residue of the said malefactors shall happen to escape, and not to be apprehended: Any thing in this Statute or in the said former Stat. to the contrary notwithstanding. 27. Eliz. 13.

The suit shall be commenced within a yeare after the robberie.

8 Provided also, That no person, or persons hereafter robbed, shall take any benefit by the vertue of any the said former Statutes to charge any Hundred, where any such robberie shall be committed, except he or they so robbed, shall commence his or their suit or action within one yeare next after such robberie so to bee committed. 27. El. 13.

9 So Huy and Crie, or Pursuit, hereafter to bee done or made by the Countrey

frej 02 Inhabitants of any Hundred, shall bee allowed and taken to bee a law-
full Huy and Crie, 02 Pursuit, upon 02 after any the said Felons, 02 offenders, ex-
cept the same Huy and Crie, and Pursuit, bee done and made by Hoysmen, and
Footmen: Any usage 02 custome to the contrary notwithstanding. 27. Eliz. 13.

The pursuit
must be by
hoyesmen and
footmen.

10 No person 02 persons, that shall hereafter happen to bee robbed, shall haue 02
maintaine any action, 02 take any benefit by vertue of the said two mentioned sta-
tutes, 02 either of them, except the said person 02 persons so robbed, shall with as
much conuenient speed as may be, giue notice and intelligence of the said felonie 02
robberie so committed, vnto some of the inhabitants of some Towne, Village, 02
Hamlet, nere vnto the place wher any such robberie shalbe committed: No shall
being 02 haue any actio, vpo 02 by vertue of any the stat. aforesaid, except he 02 they
shall first within 35. daies next before such action to be brought, be examined vpon
his 02 their corpozall othe, to be taken before some one J. of the P. of the Countie,
wher the robberie was committed, inhabiting within the said Hundred wher the
the robberie was committed, 02 nere vnto the same, whether he 02 they do knowe the
parties that committed the said robberie, 02 any of them. And if vpon such exami-
nation it be confessed, that he 02 they do knowe the parties that committed the said
robberie, 02 any of them, then he 02 they so confessing, shall before the said Action be
commenced 02 brought, enter into sufficient bond by Recognisance before the said
Justices, before whome the said examinatio is had, effectually to prosecute the same
person and persons so knowne to haue committed the said robberie, by indictment,
02 otherwise, according to the due course of the Lawes of this Realme. 27 Eli-
zab. 13.

Notice of the
robberie to
some dwelling
nere wher it
was done.

The partie
robbed exami-
ned before a
Justice, and
bound to pro-
secute the
offenders.

11 The inhabitants of the Hundred of Weymerth, alias Benherst, within the
Countie of Wark, shall and may to their owne proper vse, in the name of the clerke
of the peace of the said Countie of Wark. recover, haue, and leaue all such summes of
money, costs, and damages, as hereafter shall be recovered 02 leuied, of, 02 against
them, by the aforesaid statutes, 02 any of them, against the inhabitants 02 residents
of euerie 02 any such Hundred, with the franchises within the precincts thereof,
wherem negligence, fault, 02 defect of such pursuit and fresh suit (as by the said stat.
of 27. Elis. is appointed to be made) shall happen to be, after notice giuen, 02 Huy and
Crie brought to the same inhabitants 02 residents, 02 any of them, of, 02 vpon any
robberie, which shalbe at any time hereafter done, within the said Hundred of
Weymerth: And this present Act shall giue as full power and authoritie in all res-
pects to the inhabitants of the said Hundred of Weymerth, alias Benherst (in the
name of the Clerke of the peace of the said Countie) for recovery, haueing, and leuy-
ing of all the said money, costs, and damages, as aforesaid, as the aforesaid statute
of 27. Eliz. gaue 02 intended to giue for the recovery of a robbery, 02 one halfe there-
of. 29. Eliz. 25.

A remedie for
the inhabita-
nts of the hundred
of Benherst
in the County
of Wark.

12 Provided alwaies, That no such remedie 02 recovery shall be had by this
statute, for all, 02 the whole summe 02 summes of money, and damages, as aforesaid,
but only in these two cases, viz. The one, where no such notice 02 intelligence
(as by the said statute of 27. El. was appointed to be giuen of euerie 02 any robber-
ie) shalbe giuen to the inhabitants of the said Hundred of Weymerth: The other,
wher the inhabitants of the same Hundred (after such notice of any robberie, to
them, 02 some of them giuen, 02 after Huy and Crie for the same to them brought)
shall make 02 cause to be made fresh suit and pursuit after the offenders, with hoys-
men and footmen, according to the said statute of 27. El. And wher neuertheless
the offenders, 02 any, 02 one of them, shall not be apprehended within 35. daies
after the robberie committed. 29. El. 25.

In what ca-
ses onely the
recovery shall
be had,

1 Huy and Crie shall be leuied and pursued against him which will not obey the
watch in the night. S. Watch 1.

Hunters,

Hunters, Hunting.

Hunters, Hunting.

None shall
kill but which
hath sufficient
licence.

If any Artificer, Labourer, or other Lay man, which hath not lands or tenements, to the value of xl. shillings by the year, or if any Priest or Clerke which hath not living to the value of x. l. by the year, will have or keepe any Grayhound, Hound, or other Dogges for to hunt, or will use Ferrets, Hares, Hares, Hares, Hares, or other Engines, for to take or destroy Hares, Hares, Conies, or other Gentlemens games, he shall be imprisoned by the space of one whole year. 13. R. 2. 13. S. Just. of Peace 36.

Buckstals.

1. If any person having no Parke, Chase, or Forrest of his owne, doth keepe or cause to be kept any Hares, called Hares Hares, or Buckstals, he shall for feitt for everie moneth that he keepeth the same, tenne pounds, to any person that will sue for the same by Action of Debt, wherein no W. ac. C. P. ac. 19. H. 7. 11. S. Forests & c. 10.

Stalking.

3. Whosoever doth stalk, or cause any other person to stalk with any Bush or Beast, to any Hare, being in any Parke, Chase, Forrest, or without (but in this owne ground, Forrest, Chase, or Parke) without licence of the owner, master of the game, or keeper of the same ground, Forrest, Chase, or Parke, shall for feitt for everie time that he or they stalketh, x. l. to any person that will sue for the same by Action of Debt, wherein no W. ac. C. P. ac. 19. H. 7. 11. S. Justices of Peace 35. S. Forests.

4. At every such time as information shall be made of any unlawfull hunting by night, or with painted faces to be done, to any of the Kings Councill, or to any of the Justices of peace of the Countie where any such hunting shall be had, of any person to be suspected thereof: It shall be lawfull to any of the same Councill or Justices of P. to whom any such information shall be made, to make a warrant to the Sherrifs of any such County, or to any Constable, Bailiff, or other officer within the same Countie, to take and arrest the same person or persons of whom any such information shall be made, and to have him or them before the maker of the same Warrant, or any other of the Kings said Councill, or Justices of his peace of the Countie. And the said Counsellor or Justice of peace, before whom such person or persons shall be brought, by his discretion have power to examine him or them so brought, of the said hunting, and of the said doers in that behalfe. And if the said person willfully conceale the said huntings, or any person defective with him therein, then the said concealment be, against everie person so concealing, felonie. And the same felonie to be inquired of and determined as other felonies within the Realm have used to be. And if he then confesse the truth, and all that he shall be examined of and knoweth in that behalfe, then the same offences of hunting by him done, be against the King but trespassse finable, by reason of the same confession, at the next generall Sessions of the Peace to be holden in the same Countie by the Kings Justices of the same Sessions there to be seised. And if any persons or disobedience be made to any person having authoritie to doe execution or justice by any such Warrant, by any person the which so should be arrested, so that execution of the same Warrant thereby be not had, then the same rescous and disobedience be felonie, inquirable and determinable as is aforesaid. And if any person or persons hereafter be convicted of any such Huntings with painted faces, visors, or otherwise disguised, to the intent they should not be knowne, or of unlawfull hunting in time of night, then the same person or persons so convicted, have like punishment as he or they should have, if he or they were convicted of felonie. 1. H. 7. 7. S. Just. of Peace 35. S. Forests.

1. No person shall hunt where any cased or coddred corne shall be standing. S. Felants 4.

Husbandrie and Tillage.

All persons to whom R. Henry the eight, or any of his heirs or successors here, tofore sithe 4. die Februarij, An. 27. of his raigne, have giuen, granted, letten, or demised, or hereafter shall giue, grant, let, or demise any site or precinct, with the houses thereupon builded, together with the demeanes of any Monasteries, Priories, or other religious houses, that were dissolved or giuen to the said R. by the Act made Anno 27. H. 8. (viz. such as had not in lands, tenements, and hereditaments, above the cleere yerely value of two hundred pounds) and the heirs, successors, and assignes, of euery such person, are bound to keep, or cause to be kept an honest continuall house and household, in the same Site or Precinct, and to occupy yearly as much of the demeanes in plowing and tilling of Husbandrie, as then were commonly vsed to be kept in Tillage, by the Courtnors, Abbots, or Priors of the same houses, monasteries, priories, or by their farmer or farmers, occupying the same, within twentie yeres next befoze the same Statute, vpon paine to forfeit to the R. so: euery moneth offending to the contrarie, six pounds thirtene shillings foure pence, to be recouered to his vse, in any of his Courts of record. 27. H. 8. in a Statute not printed. 5. El. 2. 35. El. 7. S. 35. El. 7. & 39. El. 1. & Q. whether they or either of them doe take away the force of the foresaid Statute of 27. H. 8. Touching the keeping of the demeanes of the late Abbeies &c. in Tillage, or not. S. Iust. of P. 43.

Hospitalitie
or husbandrie
in Cities of
monasteries.

2. Euery house that now (viz. 24. die Octobris, Anno 39. Regina Elizabeth.) hath or heretofore had twentie acres of arable land, meadow, and pasture, or moze thereunto belonging, and so occupied or letten to farme, by the space of thre yeres together, at any time since the beginning of the Quenes raigne that now is, and which is not or hath nat bene the castle or dwelling house of any Nobleman or Gentleman, nor the chiefe Mansion house of any Spannor, is and shalbe adiudged a house of Husbandrie for ever: And all acres spoken of in this Statute, shalbe adiudged acres, according to the Statute or ordinance De terris mensurandis. 39. Eliz. 1.

which shalbe
called an house
of husbandrie

Weights &c. 5.

3. If any person or persons, bodies Politique or Corporat, at any time since the beginning of her said Maiesties raigne, and befoze seven yeres now last past, have decayed or wasted, or willingly suffered to be decayed or wasted, any such houses of Husbandrie: in euery such case the offendor in that behalfe shall erect, build, or repaire, vpon some convenient part of the Sites, where the decayes were, or been, or of the lands, to such houses heretofore belonging, the one halfe in number of such houses so decayed or wasted, if the offendor now hath, or hereafter by the expiration, surrender, forfeiture, or other determination of such Leases or Estates, as now are in Esse, shall or may haue in his or their owne vse, or occupation, so much of the lands, which belonged to the same houses, or any of them, as will suffice to lay thereof fortie acres of arable land, meadow, and pasture, to euery of the same houses, so to be erected, builded, or repaired: And shall then also put to euery of the same houses, fortie acres of the same lands at the least, being arable land, meadow, and pasture, convenient and fit to be vsed and occupied with the same houses. And if the offendor now hath not, nor hereafter by the expiration, surrender, forfeiture, or determination, of any such Leases or Estates, as are now in Esse, shall not, or may not haue so much of the said lands, then the offendors to erect, build, or repaire so many of the same houses, befoze by this Act intended to be erected, builded, or repaired, as the same offendor can, of the same lands, then in his or their owne vse and occupation, put thereunto fortie acres of arable land, meadow, and pasture, and in such case also the same offendor shall put in euery such house to erected, builded,

Decay of houses of husbandrie since the beginning of the Raigne and befoze 7. yeres.

The one halfe of the houses decayed shalbe erected.

41. Acres of land laid to euery house.

If the offendor haue not the lands in his hands.

Husbandrie and Tillage.

or repaired, fortye acres of the same Land and at the least, being arable Land, Meadow, or Pasture, which shall be fit and convenient to be used and occupied with the same. 39. Eliz. 1.

The heire, executor, administrator, successor, or assignee of the offender.

4 And if any the same decayed houses and sites, and the lands thereunto heretofore belonging, or any part thereof, be in, or doe come to the possession of hands, as aforesaid, of any as heire, executor, administrator, successor, or assignee to the offender, or otherwise, as assignee, by the immediate and free gift of the offender, as aforesaid, in euery such case, such heire, executor, administrator, successor, or assignee upon the sites of some other convenient part of the same lands so grown or come vnto him or them: And so in respect of so much of the same lands, as is not before satisfied, by erecting, building, or repairing of houses of husbandrie, and supplying the same with lands, according to the true intent of this act in that behalf, shall erect, build, or repaire such and so many houses of husbandry in such maner and with like addition of lands thereunto, as the offender proportionably should haue done in the like case by the true meaning of this act. 39. Eliz. 1.

Decayes of houses of husbandrie within seven yeeres now last past.

5 And if any of the same wastings or decayings haue happened within seven yeeres now last past, the offenders in that behalf having now, or which hereafter by the Expiration, surrender, forfeiture, or other determination of such Leases or Estates as are now in Use, shall or may haue in his or their owne use or occupation, so much of the same site or lands which belonged to the same house so decayed or wasted, or any of them, as can supply euery of the same houses, which before had belonging vnto it vnder xl. acres, with twentie acres of arable land, meadow, and pasture: And euery such of the same houses, which before had forty acres or above belonging vnto it, with fourtie acres of arable Land, meadow, and pasture, shall erect, build, or repaire, vpon some convenient part of the sites or lands that belonged to the same houses, or any of them, the whole number of the houses so decayed or wasted: And so euery such of the same houses of Husbandrie, as heretofore had vnder fourtie acres of arable Land, Meadow, and pasture belonging vnto it, shall put to the houses of Husbandrie so to be erected, builded, or repayed of the Lands, which such Offender hath or shall haue, as aforesaid, twentie acres at the least of arable land, meadow, and pasture, fit and convenient to be used and occupied therewith: And so euery such of the same houses of husbandrie so wasted or decayed, as aforesaid, as had belonging to it forty acres of arable land, meadow, and pasture, or more, shall put to euery of the same houses, so to be erected, builded, or repaired of the same lands which such offender hath, or shall haue, as aforesaid, forty acres at the least of arable land, meadow, and pasture, fit and convenient to be used and occupied therewith. And if the same offender haue not, or shall not haue, as aforesaid, so much of the Lands belonging to any of the same houses, as may therewith performe that which is aforesaid, then the same offender shall erect, build, or repaire so many onely of the same houses of Husbandrie as he can, with the same lands, in use and occupation, as aforesaid, of such offender, supply the same houses with such quantitie of arable Land, meadow, and pasture, as before in this article is mentioned to be put to the same; and shall put to euery of the same houses of the same arable Land, meadow, and pasture accordingly. Anno 39. Eliz. 1.

The whole number of houses decayed.

The heire, executor, administrator, successor, or assignee of the offender.

6 And if the same decayed or wasted sites, or Houses and Lands thereunto heretofore belonging, or any part thereof, be in, or doe come to the possession or occupation, as aforesaid, of any, as heire, Executor, Administrator, or Successor to the said offender last before mentioned, or otherwise as Assignee, by the immediate and free gift of the same offender, in euery such case, such heire, Executor, administrator, successor, or assignee, vpon some convenient part of the same site or lands, so grown or come vnto him or them: And so in respect of so much of the same site and lands, as is not before satisfied, by erecting, building, or repaying of houses

les of Husbandrie, and supplying the same with lands, according to the true intent of this Act in that behalfe, shall erect, build, or repayze such and so many houses of Husbandrie, and with like addition of lands thereunto, as the offender proportionably should haue done in like case by the true meaning of this Act. 39. Elizabeth. 1.

7 All such as haue or shall haue any the houses of husbandrie decayed or wasted, Purchasers; as is aforesayd, at any time since the beginning of her sayd Maiesties raigne, or the lands thereunto belonging, or any part thereof, by, from, or vnder the offender, for money or other consideration, or other wise by any other title than vnder the offender; in euery such case, such so hauing such sites or houses so decayed or wasted, as aforesaid, and the lands which did thereunto belong, or any part thereof, and not before that erected, builded, or repaired with houses of husbandrie, and supplied with lands according to the true meaning of this act, shall for and in respect of the lands which be or they so haue, proportionably erect, reedifie, and repaire onely the fourth part in number of the like houses of husbandrie, and with such and the like quantitie of the same lands to be added to euery of the same houses of husbandrie, as is before mentioned for the offender, to doe and performe in like cases of decayes, made within 7. yeres now last past. 39. Eliz. 1.

The 4. part.

8 Euery person, bodie politique and corporat, that is to make any erection, building, or repairing of houses, as is aforesaid, shall performe two of the same creations, buildings, or repayzings, before the feast of Pentecost, in the yeare of our Lord God 1599. if so many be to be done by such party, if not, then one where but one is to be done: And who is to performe more than two, shall thenceforth yereley performe two other of the same, untill all such creations, reedifyings, and repayzings be fully performed, which that partie is to doe and performe by the true intent of this Act: And as the same houses shall from time to time be erected, builded, or repaired, the lands, as is aforesayd, shall be put thereunto, and for such houses as are now standing, the lands in maner, as is aforesaid, shall be put thereunto, before the said feast of Pentecost, in the yeare aforesaid. 39. Eliz. 1.

Within what time the building, erection, or repaire of houses shall be made.

The lands shall be put to the houses.

9 All houses of Husbandrie, which are to be erected, builded, or repaired, by the true intent of this act, And all other houses of husbandrie now standing, shall from time to time for ever, by the occupiers and possessors thereof be vpholden and maintained, in good and convenient reparations, inhabitable and tenantable, and as houses of husbandrie in those parts. And the lands thereto to be put, or now belonging as aforesaid, or as much in goodnesse, quantitie, & quality, shall be demised with y^e house by the lesso^r thereof, whensoever the same house shall be demised, without any willing default of the lesso^r in that behalfe: And the same lands shall be used and continued in Tillage and Husbandrie, according to the Statute in that behalfe. And where any in reason or good conscience ought to haue contribution from any other towards the charges of any the creations, buildings, or repayzings aforesayd, In euery such case vpon a bill to be exhibited into the High Court of Chancerie by such parties against any decayer or other that ought to be contributarie to the same as aforesayd, such contribution shall be given, and in such sort leuyed and payed, as by order of that Court shall in that behalfe be set downe or taken. 39. Eliz. 1.

Houses of husbandrie shall be kept in repair

Contribution recovered in the Chancery

10 Provided alwayes neuertheless, if any house of husbandrie now standing, hath or shall haue belonging to it, or latten therewith above the number of fourtie acres of arable land, meadowes, or pasture in the whole, the ouerplus thereof may from time to time be added to supply or make vp any other house, to be a house of husbandrie of or vnder forty acres. 39. Eliz. 1.

The ouerplus of 21. acres to supply of, or vnder 21. acres

11 And for the more better and commodious occupying or husbandrie of any the lands, meadowes, or pastures, which shall be allotted or belonging to any house of husbandrie, as aforesaid, it shall be lawfull for any Lord to make exchanges with any

Exchanges.

Husbandrie and Tillage.

any his tenants, or any tenant or other person with the assent of the Lord, to change the one with the other, without incurring any the penalties of this Statute, any thing in this act to the contrary notwithstanding. 39. Eliz. 1.

**A new house
builded in
stead of the
old decayed.**

12 Provided also, that if any person hath erected, or hereafter shall erect, any new like house of husbandrie, where no house of husbandrie was at any time since the beginning of her Majesty's reigns, with like lands allotted, or to be allotted thereunto as aforesaid, and as convenient, in lieu or place of any house of husbandrie heretofore decayed, or hereafter to be decayed, and within two miles thereof: That in every such case such house so decayed, or to be decayed, is not, nor shall not be repayed, repaired, or continued, by the true intent of this act, so allways that the same house newly erected, or to be erected, be continued a like house of husbandrie, as aforesaid for ever. 39. Eliz. 1.

**A Gentleman
taking into
his hands
land not excee-
ding 120. a-
cres.**

13 If any person or persons, which hath built any mansion house fit for the dwelling of a Gentleman, or any person of a higher degree, hath taken into his hands any lands not exceeding the quantitie of five score acres, or houses not exceeding the number of two houses, convenient and needfull to be employed for maintaining of necessarie hospitalitie, & house keeping in that house, such person for such taking into his hands, or decaying of such lands or houses shall not be deemed or taken for an offender by this Statute. 39. Eliz. 1.

**This Statute
doth extend to
no park or in-
closed ground
for Deer.
They which
be out of the
Realme, In-
fants, or of
Non sanz memorie.
The first of
offenders.**

14 Provided also, that this act, or any thing therein contained, shall not extend to any Parke, or inclosed ground for Deer, or any lands or houses therein, & same being at this present chiefly stozed with, or employed to deer. 39. Eliz. 1.

15 Provided also, that this act, or any thing therein contained, shall not be prejudicial to any being out of this realme, or Infant, or of Non sanz memorie, which before by this Act ought to be repaired, or to be repaired any house, or houses of husbandrie, so that every such person shall yearly next after his returne, full age, or being of Sanz memorie, performe therein the intents of this act. 39. Eliz. 1.

16 Every person and persons, bodies politique, and corporat, which shall offend in any the premises, shall for every house that shall not be erected, builded, repayed, continued, or maintayned in necessarie reparations, tenantable, according to the true meaning of this act, by the space of one year, forfeit x. l. and so yearly x. l. until the same shall be sufficiently erected, builded, continued, or repaired. And for every acre of land, meadow, or pasture, which shall not be laid unto, or let with such houses of husbandrie, when the same shall be demised as aforesaid, shall forfeit for every year he or they shall so offend, the summe of x. s. as long and as often as such acre shall not in those respects be used, & ordered according to the intent of this act: Which forfeitures shall be divided into three equal parts, whereof one third part to be to the Qu. Majesty, her heires and successors, one other part to be to the use of the poore within the parish where the offence shall be committed, to be delivered by the order of the Court, in which the same shall be recovered, to the Churchwardens of the same parish without any charge or other warrant, and the other part to such as will sue for the same, in any Court of Record at Westminster, by A. B. D. or J. if any such will sue, if not, to the Qu. Majesty, her heires, and successors, in which suit, no C. D. W. &c. 39. Eliz. 1.

**Within what
time the offen-
der shall sue**

17 Provided also, that no offender shall be impeached or sued by vertue of this Act, except such suit shall be brought and commenced within two yerres of the same offence committed or done, being prosecuted by any, for himselfe and her Majesty, her heires or successors: but in case where the said suit shall be brought or prosecuted for her Majesty, her heires or successors onely, then such suit to be brought and commenced within three yerres of the same offence done and committed. 39. Eliz. 1. 1. Jac. 25. This Act to endure but to the end of the first Session of the next Parliament. S. Iulices of P. 44.

18 Whereas any lands or grounds at anytimes, since the 17. of November, Anno primo Elizab. have bene converted to sheepe pastures, or to the fattening or grazing of cattell, the same lands having bene tillable lands, fields, or grounds, such as have bene used in tillage, or for tillage, by the space of twelue yeares together at the least, next before such conversion, according to the nature of the soyle and course of husbandrie used in that part of the countrey, all such lands, and grounds, as aforesaid, shall before the first day of May, which shall be in the yeare of our Lord God 1599. be restored to tillage, or laid for tillage in such sort as the whole ground, according to the nature of that soyle, and course of husbandrie used in that part of the countrey, be within thre yeares at the least, turned to tillage, by the occupiers and possessors thereof, and so shall be continued for ever. 39. Elizabeth. 2.

Pasture to be converted into tillage.

Land shalbe restored to tillage before 1. Maij Anno Dom. 1599.

19 All lands and grounds which now are used in tillage or for tillage, having bene tillable lands, fields, or grounds, such as next before the first day of this present Parliament, have bene by the space of twelue yeares together at the least, used in tillage, or for tillage, according to the nature of the soyle, and course of husbandrie used in that part of the countrey, shall not be converted to any sheepe pasture, or the grazing or fattening of cattell, by the occupiers or possessors thereof, but shall according to the nature of that soyle, and course of husbandrie used in that part of the countrey, continue to be used in tillage, or for tillage, for coyne or graine, and not for wood. 39. Eliz. 2.

Tillable land shal not be put to pasture or wood.

20 Provided neuerthelesse, that if any person or bodie politique or corporate, hath since the 17. of November aforesaid laied, or hereafter shall lay any ground to graze, or hath used or shall use the same ground with sheepe, or any other cattell, which ground hath bene or shall be gyven or worne out with tillage, onely upon good husbandrie, and with intent, bona fide, without fraud or couin, the same ground should recover hart and strength, and not with intent to continue the same otherwise in sheepe pasture, or for fattening or grazing of cattell, that no such person, or bodie politique or corporate, shall be intended for that ground a converter with in the meaning of this law. 39. Eliz. 2.

Land worne out with tillage laid to grazing for a time.

21 Provided also, that if any such occupier or possessor of ground, as aforesaid, hath broken bp, converted, or laid forth, or shall breake bp, convert, or lay forth into tillage, any other ground not liable to this present law, as aforesaid, and lying within the same parish, towne, hamlet, or lordship, or within two miles of the same land formerly tilled, that for such quantitie onely, and for so long time as he hath so done or continued, or shall so doe or continue, he shall not incurre any penalte contained in this Act, but that it shall be lawfull for any such occupier or possessor, at his libertie and pleasure, and according to his best commoditie and husbandrie, to change and alter from time to time such ground put, or to be put in tillage, so that everie such occupier doe keepe the summe or totall of the quantitie or proportion of his grounds lying within the same parish, towne, hamlet, or lordship, or within two miles of the same land formerly tilled, in tillage, as aforesaid. 39. Eliz. 2.

Putting of other ground into tillage in stead of that which is converted into pasture.

22 Provided also, that this act shall not extend to any ground that any person, bodie politique or corporate hath turned or shall turne from tillage to pasture, for the onely maintenance and keeping of his or their own horses, geldings, mares, or draught oxen, or the horses, geldings, or mares, of his or their owne familie, or others comming to his or their house, or for the maintenance or keeping of kine, sheepe, or other cattell, for the onely victuals to be spent in his or their houses, or for the necessarie feeding of his or their tillable lands. Provided neuerthelesse, that no persons that shall commonly feed and sell yearly Beeres, and gntons, to a greater number than he or they shall yearly spend in victuall in his or their

for what purposes tillage may be converted into pasture.

Feeders and sellers of beeres and muttons.

Husbandrie and Tillage.

manſion houſe or houſes, and more than ſhall worke or be needfull to be culled out, or in reſpect of the neceſſarie ſtockes for maintenance of houſe keeping, and ſoyling the tillable lands, as afoſeſaid, or that ſhall be a common ſlatier of Beeres or Butters, or any of them, as a common Graſſer or Shepheard, be commonly ſold in Markets and Faires, or to the common Butchers; other than in reſpect of the neceſſarie ſtockes afoſeſaid, ſhall be taken, excepted, or be ſuch perſon or perſons, bodies politique or corporate, as by this prouiſo laſt aboue mentioned, may keepe any ground or paſture whole and not converted into tillage for the maintenance and keeping of kine, ſheepe, or other cattell for the onely victuall to be ſpent in their owne houſes, for the needfull ſoyling of their tillable lands; but born and ſhall be excepted out of the ſame prouiſo. Any thing in the ſaid Prouiſo contained to the contrarie notwithstanding. 39. Eliz. 2.

They which convert tillage into paſture, be not for ſome cauſes reſident at their houſes.

23 Whereas it is mentioned, that this Act, or any thing therein contained, ſhall not extend to be preiudiciall to any perſon or perſons, bodies politique or corporate, for the keeping of any ground in paſture, for the onely maintenance and keeping of his or their horſes, mares, geldings, or draught oxen, or for the maintenance and keeping of kine, and other cattell, for the onely prouiſion and victualling of his or their manſion or dwelling houſes or houſes; if it ſhall ſortune any ſuch perſon or perſons to be abſent, and not reſident at or upon his or their ſuall manſion, or dwelling houſe or houſes, with his familie or houſhold, for and by occaſion of ſeruiſe, or attendance to be done by any ſuch perſon or perſons, by the expreſſe commandement of the Qu. her heires, or ſucceſſors, within this Realme, or without, or elſe having y. or iij. manſion or dwelling houſes, ſhall be reſident and dwelling with his familie, but at one of them, or ſhall be within age, What then during, and for the time of ſuch ſeruiſe, attendance, minority, and abſence, and one yeare next after, or during, and for the time that he or they ſhall be reſident or dwelling with his familie, but at or upon one of his dwelling houſes, he or they ſhall and may keepe ſuch grounds in paſture, belonging or uſually occupied, with any of the ſaid two or three houſes, and with no more, or others in his or their owne hands, or occupation, or let it out to any other perſon or perſons, without incurring of any danger or forfeiture by vertue of this Act, ſo that the ſame perſon or perſons, ſhall and do keepe the ſame manſion and dwelling houſe or houſes unleſſen in good ſufficient reparations, and meet and conuenient for him or them to repaire, and reſort vnto at all times, for his and their dwelling and abode. Any thing in this act to the contrarie thereof in any wiſe notwithstanding. 39. Eliz. 2.

The forfeit of xx. s. an acre of land converted from tillage to paſture.

24 If any perſon, or bodie politique, or corporate, ſhall offend againſt the promiſſes, euery ſuch perſon or bodie politique or corporate, ſo offending, ſhall loſe and forfeit for euery acre not reſtoꝝed or not continued, as is afoſeſaid, the ſumme of xx. s. for euery yeare that he or they ſo offend. And the ſaid penalties or forfeitures ſhall be diuided in three equal parts, thereof one third part to be to the Qu. her heires, and ſucceſſors, to her and their owne uſe, one other third part to the Qu. her heires, and ſucceſſors, for the reliefe of the poꝝe in the pariſh where the offence ſhall be committed, if any ſuch be, to be deliuered by warrant of the principall officers in the receipt of the Exchequer, without further warrant from her Maieſtie, her heires, and ſucceſſors, and the other third part to ſuch perſon as will ſue for the ſame in any Court of Record at Weſtmiſter, by A. B. P. J. in which ſuit no C. P. Will. 4. 39. Eliz. 2.

Just. of Miſe & the peace, may enquire of the offences.

25 The Juſtices of Miſe, or Juſtices of Peace in euery Countie within this Realme at the Miſes or quarter or generall ſeſſions, ſhall haue full power and authoritie by vertue of this act, to enquire, heare, and determine all and euery the defaults and offences committed or done contrarie to this Act, within the Countie where any ſuch Miſes or ſeſſions ſhall be kept, by Inquiſition, Preſentment, Indictment,

Indictment, Will, or Information, or by any of the same waies or meanes, and upon the conviction of the offendor by information or suite of any other than her Spaietie, her heires or successours, to make extracts of one third part of the forfeitures, to be leuied, for the Qu. her heires and successours, as they vse to doe of other fines, issues, and amerciaments, growne in the Sessions of Peace, and to award execution of the two other third parts, the one for the complainant or informer, and the other to the poore, by the discretion of the Iustices of Peace at the generall Sessions against the offendor by Fieri facias and Capias, as her Spaieties Iustices at Westminster may doe and vse to doe: And if any such conviction shall hereafter happen to be at her Spaieties suit onely, then the forfeitures to be extracted and leuied for her Spaietie, her heires and successours, to the uses aforesaid. 39. Elizabethæ 2. S. Iustices of Peace 44.

26 If any person shall hereafter be punished, by vertue of this Act, for any thing mentioned in this Act, then the same person shall not otherwise be vexed, troubled, sued, or put to any paine or punishment for the thing wherfore he or they shall have bene so punished. Provided that no offendors shall be impeached or sued by vertue of this Act, except such suit shall be brought and commenced within two yeares of the said offence committed or done, In case where the said suit shall be brought and prosecuted in the name of any Informer, And in case the same suit shall be brought and prosecuted in her Sp. name, or in the name of her heires or successours, then such suit to be brought and commenced within three yeeres of the offence done and committed. 39. Eliz. 2.

None shalbe punished but once for one offence. Within what time the offence shall be sued.

27 Provided also, that no land compellable to be put in Tillage by vertue of this Act, shall be deemed or adiudged a breach or forf. of any covenant, bond, or condition, betwene any persons whatsoever. Neither that any person that shall be compelled to put any lands into tillage by vertue of this Act, shall therefore incurre any penalte or prejudice collateral, or other, whether it be of augmentation of rent, giuing of any recompence or consideration, or the like, but shall be in law discharged of every such limitation, covenant, condition, or agreement. 39. Eliz. 2.

Conversion of land into tillage shall be no breach of covenant &c.

28 Provided neuerthelesse, that this Act shall not extend to any pasture, heath, doones, wast or barren ground, which hath not heretofore bin commonly used to be eared or tilled for corne, And which is not met and strong enough to be continued still in tillage, according to the nature of the soyle, and custome of the Countrey, nor to any Commones, fennes, meres, meres, nor to any Marshes being usually overflowne with water, at any time of the yeare, nor to any Marshes or grounds recovered and inned, and which are or shall be so kept and continued by charge of bankes, nor to any Parke or Parks, Warren or Warrens, nor to any inclosed grounds now used with Dore, or Conies, or which hereafter by licence from her Spaietie, her heires, or successours, with sufficient clause of dispensation, mentioning this Act, shall be principally bestowed and employed to the maintenance of Dore, and Conies, without fraud or couin, nor to any meadowes, nor to any lowd grounds, nor to any orchard, garden, pole, or pondyard, nor to any grounds set or solten with saffron, hoppes, garlick, onions, or other such garden rootes, meete for victuall, nor to any plot, or soile, whereupon any house or tenement inhabitable is erected, and the curtilages, yards, and backesides thereof, nor to any ground occupied or let with any tenement, being vnder the quantitie of twentie acres, as long as such tenement shall be continued not decayed, nor to any grounds wherein any Dore, Leab, Linne, Pion, Cole, commonly called Sea Cole, Stone Cole, or Pore Cole, is commonly got: All which to be intended during such time onely, as all and every the grounds aforesaid, shall be used, or put to the uses and intents aboue specified, Any thing in this Act to the contrary notwithstanding. 39. Eliz. 2.

To what grounds this Act. doth not extend.

Husbandrie and Tillage.

But 2. acres
for a warren
and within a
mile of the
ownes
house.

To what
Counties on-
ly this Statute
doth extend.

29 Provided alwaies, that this last proviso shall not give any benefit, aduan-
tage, or libertie to any person or persons, which haue converted or imployed,
or hereafter shall convert or imploy, any more ground to the keeping of Conies,
not being lawfull Warren, then tenne acres at the most, and the same to be with-
in one mile of his dwelling house. 39.El.2.

30 Provided also, that this Act shall not extend to any Counties within this
Realme of England, but such onely as shall be hereafter specified, that is to say, the
Counties of Southampton, Leicester, Warwicke, Buckingham, Bedford, Dr-
ford, Berckshire, the Isle of Wight, Gloucester, Worcester, Nottingham, Hamp-
shire, Wiltshire, Somerset, Dorset, Warbie, Rutland, Lincoln, Hereford, Cam-
bridge, Huntington, Poike, Pembroke in Southwales, and the Bishopricke of
Durham, the Counties of all Cities and Corporations, lying, situate, and being
within the Counties aforesaid, or consining to the same, & the Agnlie of the coun-
tie of the citie of Poike. 39. El.2. Provided alwaies, that the said Act, for the main-
taining of husbandrie and tillage, shall not extend to any lands lying within the
Countie of Northumberland. 43.El.9.1.Iac.25.

31 Provided alwaies, that neither this Act, nor any thing therein contained,
shall extend to any ground now converted from tillage to medow or pasture, ly-
ing within two miles of the great road way, called Watling street, leading from
the Towne of Dunstable in the Countie of Bedford, towards Wiltchester, so that
the same ground be not above five miles from the parish Church of Dunstable, nor
within two miles thereof. 39.El.2.1.Iac.25. This act to endure to the end of the first
Session of the next Parliament. S.Iust.of P.44.

Sea sand
may be fetch-
ed in Devon
&c. to manure
their land.

32 It shall and may be lawfull to and for all persons whatsoever, resident and
dwelling within the Counties of Devon and Cornwell, to fetch and take Sea-
sand at all places under the full Sea marke, where the same is, or shall be cast by the
Sea, for the bettering of their Land, and for the increase of Coyme and Tillage, at
their wills and pleasures. And it shall and may be lawfull to and for all Barge-
men, and Boatmen, & all other carriers of Sea-sand of the said Counties, that shall fetch
or take sand as aforesaid, to land and cast out of their Boats, and Barges, such
sand as they shall so fetch or take at such places, as sand hath at any time within
the space of fiftie yeres last past, bin used by such Barge-men & Boatmen to be lan-
ded & cast: And also to fetch and carrie the same, by and through such waies, as now
be, and by the space of twenty yeres last past have bin used for the carrying and
fetching thereof, paying for the taking, calling out, and landing of every Barge-
load, Boat-load, or sacks of the said sand, upon the grounds of any man, such du-
ties as heretofore within the said time of fiftie yeres have bin used and accustomed
to be paid for the same, and for passage by and through the said waies such duties as
have usually bin paid by the said space of twenty yeres, and in such manner and
forme, as the same within the said severall times, have respectively bin used and
accustomed to be paid. And in such places where certaine small duties have not
bin paid, but uncertaine compositions have, from time to time bin made by agree-
ment with the owners of the Soyle there to yeld such resonable compositions, as
by agreement with the said Owners, shall from time to time be made. 7.Iac.18.
This Act to continue untill the end of the first Session of the next Parliament.

1 In what case a husbandman may have an Apprentice. S.Labourers.15.

Icofaile.

After issue
tried there
shall be Judge-
ment.

If any issue be tried by the oath of twelve or more indifferent men for the partie
plaintiffe or demandant, or for the tenant or defendant, in any action or suit at
the Common Law of this Realme, or in any of the Kings Courts of Record, then
the

the Justice and Iustices by whom Iudgement thereof ought to be giuen, shall proceed and giue Iudgement in the same, any mispleading, lack of colour, insufficient pleading, or Jeofaile, any miscontinuance or discontinuance, any misconueying of proces, mislayning of the issue, lack of warrant of Atturney for the parties against whom the same issue shall happen to be tried, or any other default or negligence of any of the parties, their Counsellors or Atturneys, had or made to the contrarie notwithstanding. And the said Iudgements thereof so to be had and giuen, shall stand in full force to all intents, according to the said verdict, without any reuersal, or vndoing of the same, by writ of Error, or of false Iudgement, in like forme, as though no such default or negligence had neuer bin had or committed. 32.H.8.30.
2.Ed.6.32.

2 If any verdict of twelue men or more shall be giuen in any action, suit, bill, plaint, or demand in any Court of Record, the iudgement thereupon shall not be staied or reuersed, by reason of any default or lacke of forme, touching false Latine, or variance from the Register, or other defaults in forme, in any writ original, or iudiciall, count, declaration, plaint, bill, suit, or demand, or for want of any writ original, or iudiciall, or by reason of any imperfect, or insufficient returne of any writ, or other officer, or for want of any warrant of atturney, or by reason of any manner of default in proces upon or after any Ayn prier, or Voucher. And any such Record nor iudgement after verdict giuen shall be reuersed for any of the defects or causes aforesaid, any law, statute, or vsage, &c. notwithstanding. But this Act shall not extend to any writ, declaration, or suit of appeale of felonie, or murder, nor to any indictment or presentment of felonie, murder, treason, or other matter, nor to any proces upon any of them, nor to any writ, bill, action, or information, upon any popular or penall statute. 18.Eliz.13.

No stay of
iudgement for
lacke of forme

Iesuits, Priests, Seminaries.

All and euery Iesuits, Seminarie Priests, and other Priests whatsoeuer, made, or ordeined out of the Realme of England, or other the Qu. dominions, or within any of her realmes or dominions, by any authoritie, power, or iurisdiction, deriued, challenged, or pretended from the See of Rome (since the feast of the Natinitie of S.Iohn Bapt. Anno. 1.Eliz.) shall within xl. daies next after the end of this Session of Parliament, depart, out of this Realme of England, and out of all other her highnesse realmes and dominions, if the wind, weather, and passage shall serue for the same, or else so soone after the end of the said xl. daies, as the wind, weather, and passage shall so serue. 19.Eliz.2.

All Iesuits
and Priests
shall depart
out of the
Realme.

2 It shall not be lawfull, to, or for any Iesuit, Seminarie Priest, or other such Priest, Deacon, or Religious or Ecclesiasticall person whatsoeuer, being borne within this Realme, or any other the Qu. dominions, and heretofore (since the said feast of the Natinitie of S.Iohn Bapt. Anno. 1.Eliz.) made, ordeined, or professed, or hereafter to be made ordeined, or professed by any authoritie or iurisdiction, deriued, challenged, or pretended from the See of Rome, by, or of what name, title, or degree soeuer the same shall bee called or knowne, to come into, be, or remaine in any part of this Realme, or any other her highnesse dominions, other than in such speciall cases, and upon such speciall occasions onely, and for such time onely, as is expressed in this Act: And if he doe, then euery such offence shall be taken and adiudged to be high Treason. And euerie person so offending, shall for his offence be adiudged a Traitor, and shall suffer, lose, and forfeit, as in case of high Treason. 27.Eliz.2.

No Iesuit or
Priest shall
come into, or
remaine within
this realme

3 Euery person which shall willingly and willingly receiue, relieue, comfort, aide, or maintaine any such Iesuit, Seminarie Priest, or other Priest, Deacon, or

Receiuing or
relieuing a
Iesuit or
Priest &c.

Jesuits, Priests, Seminaries.

Religious or Ecclesiasticall person, as is aforesaid, being at libertie, or out of hold, knowing him to be a Jesuit, Seminarie Priest, or other such Priest, Deacon, or religious or ecclesiasticall person, as is aforesaid, shall also for such offence be adjudged a Felon, without benefit of Clergie, and suffer death, lose, and forfeit, as in case of one attainted of felonie. 27. El. 2.

They which
be in Semi-
naries shall
after Procla-
mation re-
turne & take
the oath.

4 If any of her Majesties subiects (not being a Jesuit, Seminarie Priest, or other such Priest, Deacon, or religious or Ecclesiasticall person, as is before menti- oned) now being, or which hereafter shall be of, or brought up in any Colledge of Jesuits, or Seminarie, alreadie erected, or ordeined, or hereafter to be erected or ordeined in the parts beyond the Seas, or out of this Realme in any fozeine parts, shall not within five moneths next after proclamation in that behalfe to be made in the Citie of London, under the great Seale of England, returne into this realme, and thereupon, within two daies next after such returne, before the Bishop of the dioces, or two Just. of P. of the Countie where he shall arrive, submit himselfe to her Maieftie and her Lawes, and take the oath set forth by act, (Anno 1. Eliz.) Then every such person which shall otherwise returne, come into, or be in this Realme, or any other her highnes dominions, for such offence of returning, or being in this Realme, or any other her highnes dominions without submission, as aforesaid, shall also be adjudged a traitor, and suffer, lose, and forfeit, as in case of high trea- son. 27. El. 2.

Sending re-
liefe to any
Jesuit, Priest
or person abi-
ding in any
Seminarie.

5 If any person under her Majesties subiection or obedience, shall at any time by way of exchange, or by any other shift, waies, or meanes whatsoever, wittingly and willingly, either directly, or indirectly, convey, deliver, or send, or cause, or pro- cure to be conveyed or delivered to be sent over the seas, or out of this Realme, or out of any other her Majesties Dominions or Territories, into any fozeine parts, or shall otherwise wittingly and willingly sell, give, or contribute any money or other reliefe, to, or for any Jesuit, Seminarie priest, or such other priest, deacon, or religious or ecclesiasticall person, as is aforesaid, or to, or for the maintenance or re- liefe of any colledge of Jesuits, or Seminarie, alreadie erected, or ordeined, or here- after to be erected or ordeined, in any the parts beyond the Seas, or out of this Realme in any fozeine parts, or of any person then being of, or in any the same Colledges or Seminaries, and not returned into this Realme with submission, as in this Act is expessed, and continuing in the same Realme: Then every such per- son so offending, for the same offence shall incur the danger and penaltie of Pra- munire, mentioned in the Statute of Praemunire made An. 16. R. 2. 27. Eliz. 2.

where the of-
fence shall be
inquired of,
heard and de-
termined,

6 Every offence to be committed or done against the tenor of this Act, shall and may be inquired of, heard and determined as well in the Court, commonly called the B. Bench, in the countie where the same Court shall for the time be, as also in any other countie within this Realme, or any other her highnes dominions, where the offence is or shalbe committed, or where the offendo: shalbe apprehended and taken. 27. El. 2.

Favour to
Jesuits and
Priests upon
their submis-
sion.

7 This Act or any thing therein contained, shall not in any wise extend to any Jesuit, Seminarie Priest, or other such priest, deacon, or religious or ecclesiasticall person, as is before mentioned, as shall at any time within the said foztie daies, or within thre daies after that he shall hereafter come into this Realme, or any other her highnes dominions, submit himselfe to some Archbishop or Bishop of h realm, or to some Just. of P. within the countie where he shall arrive or land, and do ther- upon truly and sincerely before the same Archbishop, Bishop, or such Just. of P. take the said Oth set forth An. 1. El. and by writing under his hand, confesse and acknowledge, and from thenceforth continue his due obedience unto her highnes Lawes, Stat. and ordinances, made and provided, or to be made or provided in causes of religion. 27. El. 2.

8 If it happen at any time hereafter, any P^{er}re of this Realme, to be indicted of any offence, made treason, felonie, or Praemunire, by this Act, he shall haue his trial by his P^{er}res, as in other cases of treason, felonie, or Praemunire, is accustomed. 27. El. 2.

Trial of a P^{er}re.

9 If any Iesuit, Seminarie Priest, or other Priest abovesaid, shall fortune to be so weake or infirme of bodie, that he or they may not passe out of this realme, by the time herein limited without imminent danger of life, and this understood as well by the co^op^oall oath of the partie, as by other good meanes vnto the Bishop of the dioces, and two Just. of peace of the same Countie, where such person or persons doe dwell and abide: Then, and vpon good & sufficient bond of the person and persons, with suerties of the sum of 200. l. at the least, with condition that he or they shall be of good behauiour towards our Soueraigne Lady the Qu. and all her liege people: When he or they so licenced and doing as is aforesaid, shall and may remain and be still within this Realme, without any losse or danger to fall on him or them by this Act, so long time, as by the same Bishop and Justices shall be limited & appointed, so as the same time of abode exceed not the space of sixe moneths at the most. And no person or persons shall sustaine any losse, or incurre any danger by this Act, so the receiuing or maintaining of any such person or persons so licenced as is aforesaid, so and during such time onely as such person or persons, shall be so licenced to tarry within this realme: any thing in this act to the contrarie notwithstanding. 27. El. 2. BP. at Q.

I Iesuit or Priest weake of bodie,

10 Every person or persons, being subiect of this Realme, which after the said forty daies, shall know and understand, that any such Iesuit, Seminarie priest, or other priest abovesaid, shall abide, staie, tarry, or be within this Realme, or any other the Quenes dominions and countries, contrarie to the true meaning of this Act, and shall not discouer the same vnto some Justice of Peace, or other high Officer, within xij. dayes next after his said knowledge, but willingly conceale his knowledge therein, every such offendor shall make fine, and be imprisoned at the P^leaseure. And if such Justice of peace, or other such officer, to whom such matter shall be discouered, doe not within xxviij. daies then next following, giue information thereof to some of the Q. priuie Councell, or to the President or vicepresident of the Q. Councell established in the North, or in the Marches of Wales, so the time being: When he or they so offending, shall so every such offence, forfeit the sum of two hundred markes. And such of the priuie Councell, President or Vicepresident, to whom such information shall be made, shall thereupon deliuer a note in writing, subscribed with his owne hand, to the partie by whom he shall receiue such information, testifying that such information was made vnto him. 7. El. 2.

Danger in him which concealeth his knowledge of Iesuits and Priests.

I J. of peace not giuing information to the Q. Councell.

I note in writing of the information.

11 All such oathes, bonds, and submission, as shall be made by force of this Act, as aforesaid, shall be certified into the Chancerie by such parties, before whom the same shall be made, within thre moneths after such submission, vpon paine to forfeit. so every such offence a hundred pounds to the Q. her heires & successors. 27. El. 2.

All oathes, bonds, & submissions certified into the Chancerie.

12 If any person so submitting himselfe, as aforesaid, do at any time within the space of ten yeares after such submission made, come within ten miles of such place where her Maiestie shall be, without speciall licence from her Maiestie, in that behalf to be obtained in writing vnder her hand: When and from thenceforth, such person shall take no benefit of his said submission, but the same submission shall be void, as if the same had never bin. 27. El. 2.

Restraint from the Court, by persons submitting.

13 If any person which shall be suspected to be a Iesuit, Seminarie, or Priest, being examined by any person, hauing lawfull authoritie in that behalf to examine such person which shall be so suspected, shall refuse to answer directly and truly whether he be a Iesuit, or a Seminarie, or a Priest as is aforesaid: Every such person so refusing to answer, shall so his disobedience and contempt

Imprisonment for refusing to answer vpon examination,

Jesuits, Priests, Seminaries.

contempt in that behalfe be committed to prison by such as shall examine him, as is aforesaid: and thereupon shall remaine and continue in prison, without baile or maineprie, untill he shall make direct and true answer to the said questions, whereupon he shall be so examined. 35. Eliz. 2.

None shall go
or send ano-
ther to any
Seminarie.

14 All and every person and persons vnder the Kings obedience, which at any time shall goe, or passe, or shall send, or cause to be sent, any child, or other person, vnder their or any of their government, into the parts beyond the Seas, out of the Kings obedience, to the intent to enter into, or be resident in any colledge, Seminarie, or house of Jesuits, Priests, or any other Popish order, profession, or calling whatsoeuer, to repaire in or to any the same, to be instructed, perswaded, or strengthened in the Popish religion, or in any sort to profess the same: Every such person so sending, or causing to be sent, any child, or other person beyond the Seas, to any such purpose, or intent, shall for every such offence forfeit to his Heiress, his heirs and successours, 100. l. And every such person so passing, or being sent beyond the Seas, to any such intent and purpose, as is aforesaid, shall in respect of himselfe only, and not to, or in respect of any of his heires or posteritie, be disabled, and made incapable to inherit, purchase, take, haue, or enjoy, any Mannors, lands, tenements, annuities, profits, commodities, hereditaments, goods, chattels, debts, duties, legacies, or summes of money within this Realme, or any other his Heiresses Dominions: And all and singular estates, tenures, & other interests whatsoever hereafter to be made, suffered, or done, to, or for the use or behoofe of any such person or persons, or vpon any trust or confidence mediately or immediately, to or for the benefit or reliefe of any such person or persons, shall be utterly void, and of none effect, to all intents and purposes. 1. Jac. 4. S. Recusants 74.

The penaltie
of him which
is in a Semi-
narie that re-
turneth not.

15 If any person borne within this Realme, or any the Kings Dominions, bee at this present in any Colledge, Seminarie, house or place in any parts beyond the Seas (to the end to be instructed or strengthened in the Popish religion) which shall not make returne into this Realme, or some of his Heiresses Dominions, within one yeare next comming after the end of this Session of Parliament, & submit himselfe, as is aforesaid, shalbe in respect of himselfe only, and not to, or in respect of any of his heires or posteritie, utterly disabled, and capable to inherit, haue, or enjoy, or any manors, lands, tenements, hereditaments, goods, chattels, debts, or other things aforesaid within this Realme, or any other his Heiresses dominions. Provided alwaies, that if any such person or child, so passing, sent, sending, or now being beyond the Seas, as aforesaid, to such intents as is before mentioned, shall after become conformable and obedient to the laws and ordinances of the Church of England, and shall repaire to the Church, and there remaine and be as is aforesaid, and continue in such conformitie, according to the true meaning of the said statutes and ordinances: In every such case, every such person and child, for and during such time as he or she shall continue in such conformitie and obedience, shalbe freed and discharged of all and every such disability and incapacity, as is before mentioned. 1. Jac. 4.

No woman
or child shall
passe over the
Seas.

16 No woman, nor any child vnder the age of xvj. yeares (except Wayloes or Ship-boys, or the apprentice, or factor of some marchant in trade of marchandise) shall be permitted to passe over the Seas (except the same shall be by licence of the Kings heires or successours, or of some five or mores of the Privie Councell thereunto first had, vnder their hands) vpon paine, that the officers of the Port, that shall willingly, or negligently suffer any such to pass, or that not enter the names of such passengers licensed, shall forfeit his office, and all his Goods and Chatels: And vpon paine that the owner of any ship or vessel, that shall wittingly or willingly carry any such over the Seas without licence, as is aforesaid, shall forfeit his ship or vessel, and all the tackle: And every master or mariner, of, or in any such ship or vessel, so sending as aforesaid, shall forfeit all their goods, and suffer imprisonment xj. moneths

meths, without baile or maineprie. The one halfe of all the penaltie & sumes of money before mentioned to be forfeited, shall be to the R. his heires and successors, the other to him or them that will sue for the same in any the courts of record at West. by R. 3. p. 02. I. where in no C. p. 02. 24. 4. 1. Iac. 4. S. Reculants 40. &c.

Incontinencie.

It is lawfull to all Archbishops, Bishops, and other Ordinaries, having Episcopall iurisdiction, to punish and chastise such Priests, Clerkes, &c. being within the bounds of their iurisdiction, as shall be convicted before them by examination, & other lawfull p^{ro}cess (requisite by the law of the Church) of adulterie, fornication, incontinencie, or any other fleshly incontinencie, by committing them to ward and prison, there to abide, for such time as shall be thought to their discretions convenient, for the qualitie and quantitie of their trespass. And none of the said Bishops or Ordinaries shall be therfore chargeable, of, to, or upon any Action of false imprisonment. 1. H. 7. 4.

Spiritual persons punished for incontinencie.

Incumbent.

When the R. shall make collation, or presentation to a benefice, in another's right, the title whereupon he groundeth shall be well examined that it be true, and if at any time before iudgement given, the title (upon good information) be not found true or iust, the collation or presentation shall be repealed, and the Patron, or the possessor which sheweth and proueth the title to be false, shall haue as many writs in the Chancery as he will. 25. Ed. 3. 3. And if the King doe present to a benefice, which is full of any Incumbent, the R. presentee shall not be receiued to such benefice by the Ordinarie, untill the R. hath reconered his presentation by p^{ro}cess of Law, in his owne Court. And if any presentee of the R. be otherwise receiued, and the Incumbent put out without due p^{ro}cess, the said Incumbent so put forth, may commence his suit, within one yere after the inuadion, or the R. presentation. 13. R. 2. 1. or at any time after the yere at his pleasure. 4. H. 4. 22. S. Laps 3. Aduowson.

The R. presenting in another's right.

The R. presentee to a benefice full of an Incumbent.

Indictments.

The words vi & armis, viz. cum baculis, cultellis, arcibus, & sagittis, or such other like, shall not of necessitie be comprised in any inquisition, or indictment, nor the partie indicted of any offence, shall take any advantage by writ of Error, plea, or otherwise, to auoid any such inquisition or indictment, so that the said words or any of them, shall not be put in the said inquisition or indictment, but the said inquisitions or indictments, lacking the foresaid words, or any of them, shall be taken to all intents as good and effectuell in law, as if the said words were in them. 37. H. 8. 8.

Words not necessarie in Indictments.

2 The Justices assigned to heare and determine Felonies, may direct their Writs through all the Counties of England, where neede shall be, to apprehend those which be appealed, indicted, or outlawed of felonie in one countie & be dwelling, or ceained in another countie. 5. Ed. 3. 17.

Process against Indictments in another countie.

3 Upon euery indictment or appeale, by the which any of the R. liege people dwelling in other counties than there where the Indictment or appeale shall be taken of Treason, Felonie, and trespass, before Justices of Peace, or any other having power to take such indictments or appeales, or other Commissioners or Justices in any Countie, Franchise, or Libertie within England, before any Criminal

Indictment of persons dwelling in foreign Counties.

Indictments.

gent awarded vpon any indictment or appeale to be taken in forme aforesaid, immediately after the first writ of Capias vpon every such indictment or appeale awarded and returned, another writ of Capias shall be awarded, directed to the Sheriffe of the Countie whereof he which is indicted, is, or was supposed to be conuerfant by the same indictment, returnable before the same Iustices or Commissioners, before whom he is indicted, or appealed at a certaine day, containing the space of thre moneths, from the date of the said last writ, by the which writ of second Capias, it shall be contained and commaunded to the same Sheriffe, to take the body of him which is so indicted or appealed, if he may be found within his bayliwicke: And if he cannot be found within his bayliwicke, that the Sheriffe shall make proclamation in two Counties before the returne of the same writ, that he which is so indicted or appealed, shall appeare before the same Iustices or Commissioners in the Countie, Libertie, or franchise, where he is so indicted or appealed, at the day contained in the said last writ of Capias, to answer to the King or to the partie of the felonie, treason, or trespass, whereof he is indicted or appealed, after which second writ of Capias so serued, and returned, if he which is so indicted or appealed, doth not come at the day of the said writ of Capias returned, the Erigent shall be awarded against such indicted or appeales, and enery of them. And if any Erigent be awarded vpon any such indictment or appeale against the aforesaid forme, or any outlawrie thereupon pronounced, the said Erigent and the outlawrie thereupon pronounced, and enery of them shall be void. And the partie against whom such Erigent is awarded, or Outlawrie pronounced, against the aforesaid forme, shall not be endanmaged in his life, lands, or goods, &c. And euery one which is indicted or appealed in forme aforesaid, after hee is acquitted by verdict in forme of Law, may haue an Action vpon the case, against euery Procuroz of such indictments or appeales, in which action there shall be like proces, as in action of Trespas vi & armis. And if the said Procuroz be attainted, the plaintife shall recover treble damages. But this Statute extendeth not to Indictments or Appeales taken in the Countie of Chester: For to any Indictment or Appeale of Felonie or Treason, taken of any of the Kings liege people, which at the time of the same felonie or treason supposed, is, and was conuerfant within the Countie whereof the Indictment or Appeale maketh mention, but the like proces shall be made against such indicted or appealed person as hath bin used. 3.H.6.10.S.Exigent 5.6.

**Stat against
Procuroz.**

**Indictment or
Appeale in the
Countie of
Chester.**

**Proces vpon
an indictment
remoued into
the Kings Bench.**

4 And if any such Indictments taken before any Just. of peace, or any other hauing power to take such Indictments or Appeales, or other Iustices or Commissioners in any Countie, franchise, or libertie of England, shalbe remoued into the Kings Bench, or elswhere, by Certiorari, or otherwise, then after such remouing, before any Erigent awarded vpon any such indictment or appeale in forme aforesaid taken, immediately after the first writ of Capias vpon every such indictment or appeale awarded, & returned, another writ of Capias, shalbe awarded, directed to the Sheriffe of the Countie whereof he that is so indicted or appealed, is, or was supposed to be conuerfant by the same indictment or appeale, returnable in the Kings Bench, at a certaine day, containing the space of thre moneths from the date of the said last writ of Capias, according to the maner and forme that the Iustices of P. and other ought to haue done before such remouing. And if any Erigent be awarded vpon any such indictment or appeale after such remouing against the forme aforesaid, or any Outlawrie thereupon pronounced, as well the same Erigent as the Outlawrie, and enery of them be void. 10.H.6.6.

**Proces vpon
an indictment
of felonie.**

5 If any man be indicted of Felonie before Just. to heare and determine in their Sessions, the Sheriffe shalbe commaunded to attach his bodie by writ or Precept, called a Capias. And if the Sheriffe returne therein, that the bodie is not found, immediately another writ or precept of Capias shalbe awarded, returnable iij. weekes after

or else within the same Countie or Counties where the same Mannors, Lands, and Tenements so bargained and sold, are, or be, before the Custos Rotulorum, & two Just. of the Peace and the Clerke of the peace of the same Countie or Counties, or two of them at the least, whereof the Clerke of the peace to be one, and the same inrolment to be had and made within six moneths next after the date of the same writting indented. 27. H. 8. 16.

The fees for
inrolment in
the Countie.

2 The same Custos Rotulorum, or Justices of Peace, and Clerke, shall take for the inrolment of everie such writting indented before them, where the land comprised in the same writting exceedeth not the yerely value of xl. shillings, y. s. that is, ry. d. to the Justices, and ry. d. to the Clerke, and for the inrolment ec. where the land comprised doth exceed the summe of xl. s. in yerely value, v. s. that is, y. s. vj. d. to the Justices, and y. s. vj. d. to the Clerke for inrolling the same deed. And the Clerke of the Peace of every Countie, shall sufficiently enroll in parchment the same writings indented, and shall at the end of everie yere deliver the rolles thereof to the Custos Rotulorum of the same Countie, there to remaine, to the intent that everie partie that hath to doe therewith, may resort to him, and see the effect thereof. 27. H. 8. 16.

Corporat
Towns
belonging to in-
roll.

3 But this Act doth not extend to any Lands, Tenements, or Hereditaments lying within any Citie, Borough, or Towne Corporat, wherein the Mayors, Recorders, or other Officers have authoritie, or have lawfully used to inroll any evidences, deeds, or other writings, within their precincts and limits. 27. H. 8. 16. For recoveries, deeds inrolled, and releases taken and knowledged before them, be and remaine of like force to all intents, as any of them where before the making of the said Act. 34. H. 8. 21. S. Women 5,

Inrolments
in Lancaster,
Chester,
Durham.

4 From the Feast of Easter next (being 11. Aprilis, Anno Dom. 1563.) all inrolments of such writings indented (viz. as be before mentioned, 27. H. 8. 16.) of any bargain and sale after the said Feast of Easter, to be made of any Mannors, lands, tenements, or other hereditaments, set, lying, or being in the Counties of Lancaster, Chester, and Bishopricke of Durham, being made and inrolled within six moneths next after the date of any such writings indented in the M. Court of Chancerie at Lancaster, or before the M. Justice or Justices of Assises at Lancaster aforesaid, concerning any mannors, lands, tenements, or hereditaments within the said Countie of Lancaster, or in the M. Court of the Erchequer at Chester, or before the Justices of Assises at Chester aforesaid, concerning any mannors, lands, tenements, or hereditaments within the said Countie of Chester, or in the Court of Chancerie at Duresme, or before the Justice or Justices of Assises at Duresme aforesaid, concerning any mannors, lands, tenements, or hereditaments, within the said County of the Bishopricke of Duresme, shall be accepted, deemed, reputed, and taken to be as good and available in law, to all intents, as if the same writings indented had been made and inrolled in any of the M. Courts at Westminster. any thing in the said former Act ec. notwithstanding. 5. Eliz. 26.

Corporat
townes.

5 Provided alwaies, that this Act shall not extend to any mannors, lands, ec. lying within any Citie, Borough, or Towne corporat within any of the said counties wherein the Mayors, Recorders, Bailiffs, or other Officer or Officers have authoritie, and have lawfully used to inroll any evidences, deeds, or other writings within their precinct or limits, any thing ec. notwithstanding. 5. Eliz. 26. A Statute not in print.

6 In what case it is necessarie, that a safe conduct should be inrolled. S. Safeconduct 1.

7 Such things which concerne Fines and recoveries, may be inrolled. S. Fines 19. 29. &c.

3 For

3 For the Office of Inrolments, and fees of Inrolments of Fines and recoveries.
S. Fines 24. 14.
4 That Writs of Redisseisin & Secunda superoneratione pastura shall be inrol-
led. S. Admeasurement 2.

Joindentancie.

If the tenant in Assise of Nouel disseisin allegedeth against the plaintife, that hee holdeth the tenements demanded jointly enfeofed with his wife, or with some stranger not named in the writ, and sheweth a deed that testifieth the same, & prayeth judgement of the writ; if the plaintife offer to verifie by the assise, that the tenant at the day of the purchasing of the writ was sole tenant, and that neither his wife nor any other had any thing in the tenements in demand, then the Just. shall retaine the said deed in their keeping, as that which is in effect denied. And they shall warn by writ the party which is absent, that hee appeare at a certaine day, together with the other tenant, to answer to the plaintife, as well of the exception, as of the tenements demanded, and put in writ, if he shall thinke good. At which day, if both they which were named tenants appeare, and answere the feoffment, they shall answer and maintaine the exception alleged by one of them, and likewise plead further to the assise, as though the writ had bene purchased jointly against them. And if it be found by the Assise, that the said exception was maliciously alleged to delay the right of the plaintife, so that they were not jointly enfeofed at the day of the purchasing of the writ, then though the Assise passe so; the tenants against the plaintife, yet they shalbe one yere imprisoned, so; alleging such exception, from whence they shall not be deliuered without a greivous fine. But the Justices shall not admit any such exception by the bailifes of any tenants. And if he which allegedeth that exception, absent himselfe at the day, and the other which is said joint feoffee, appeareth and disauoweth the deed, yet the Assise shall be taken against the tenant, that is absent by his default: and if it be found by the Assise, that they were not joint feoffees at the day of the purchasing of the writ, and likewise that the tenant against whom the writ was purchased, or any other named in the writ did disseise the plaintife, then having consideration to the exception falsly and maliciously alleged to the hurt of the parties, and to the disseisin by them done, the plaintife shall recover his seisin and his double damages, and he that allegedeth the exception, shall be punished in some adzeisais. And if neither of the tenants come at the day, then the assise shalbe taken against them by their default. And if it be found by the assise, that the exception be true and lawfully alleged, that they which do allege the same were jointly enfeofed before the plaintife purchased his writ against them, the plaintifes writ shalbe quashed whether both or one onely come. 34. E. 1.

Joindentancie
pleaded in Assise.

Joindentancie
not pleadable
by bail.

In the same manner, if in Assise of Mortdauncester, or Juris vium, at the first day that the partie appeare in Court, the tenant allegedeth the foresaid exceptions against the plaintife, & thereof sheweth forth a deed, and the plaintife offereth to verifie by Assise or Jury, that the tenant at the day of purchasing of his writ was sole tenant, then the same process and order of proceeding shalbe observed as before is said in Assise of Nouel diss. and the offender in like sort punished. 34. E. 1.

Joindentancie
in Mortdaun-
cester, or Juris
vium.

3 In other writs whereby lands be demanded, if at the first day of the parties apparance in court, the tenant allegedeth the foresaid exception of joint feoffment, and the demandant offereth to verifie his writ by a Jury of the countrey, that the tenant at the day of the purchasing of the writ was sole tenant, then the same process and manner of proceeding shalbe observed betwene the parties, untill the Jury have passed betwene them, and if it be found by the Jury, that the exception was truly alleged, the writ shalbe abated: But if it be found that the exception was

Joindentancie
pleaded in any
Præcipe.

Iron.

faulſly and maliciously alledged to the hurt of the partie, then the demandant ſhall recover ſeiſin of the lands demanded, and the tenant ſhalbe impriſoned as is aforeſaid, and anſwer damages after the diſcretion of the Juſtices. 34. E. 1. Stat. de conjunction feoffac.

1 Where, and by what meanes Iointenants are compellable to make partition. S. Partition 2. 3. 4.

Iron.

Wood not to be
employed to
the making of
Iron.

NO perſon ſhal convert or employ, or cauſe to be converted or employed to coale, or other fuel for the making of Iron, any timber tree of Oake, Beech, or Aſhe, or any part thereof, of ſuch breadth of one foot ſquare at the ſtub, & growing within xij. miles of the ſea, or of any part of the rivers of Thames, Severne, Utiſe, Humber, De. Line, Trent, or any other river, creek, or ſtream, by the which carriage is commonly uſed by boat or other veſſel to any part of the ſea, upon pain of ſoyl. for every ſuch tree, or any part thereof ſo employed, &c. ſ. to the A. and J. to be recovered by A. J. &c. wherein no W. C. P. or J. &c. 1. Eliz. 15.

2 But this Act ſhall not extend to the Countie of Suſſex, nor to the Wiſdes of Kent, nor to any the pariſhes of Charlewod, Petwigate, and Ligh in the Countie of Suſſex. 1. Eliz. 15.

Wood converted
into coale
for the making
of Iron.

3 No perſon or perſons ſhall convert or employ, or cauſe to be converted or employed to coale, or other fuel, for the making of Iron, or Iron mettall, in any Iron mill, furnace, or hammer, any manner of wood, or underwood now growing, or which hereafter ſhall grow within the compaſſe of xij. miles, from and about the Citie of London, or the Suburbes of the ſame, or within xij. miles of the river of Thames, from Docheſter in the Countie of Worſt downwards the ſaid river of Thames, nor within foure miles of the foot of the hills called the Downes, betwixt Arundel and Pemſey in the Countie of Suſſex, nor within foure miles of any of the Townes of Wincheſley and Kie, nor within two miles of the Towne of Pemſey, nor within two miles of the Towne of Haliſings in the ſaid Countie, upon paines to forfeit for every load of wood ſo to be employed, or converted into coale, or other fuel for the making of Iron, or Iron mettall, in any Iron mill, furnace, or hammer, as aforeſaid ſ. to the A. and J. to be recovered by A. B. P. or J. wherein no W. C. P. or J. &c. 23. Eliz. 5.

The Wiſdes
of Suſſex,
Suſſex, and
Kent.

4 This Act ſhall not extend to any woods growing or to grow in any ſuch parts of the Wiſdes of Suſſex, Suſſex, or Kent, within the ſaid twenty two miles of the ſaid Citie of London, and the river of Thames, as is diſtant above eightene miles from the Citie of London, and vij. miles from the ſaid river of Thames. 23. Eliz. 5.

New Iron
workes.

5 No new Iron workes ſhall be erected within xij. miles of the ſaid Citie of London, nor within xij. miles of the aforeſaid River of Thames, nor within foure miles of the Downes aforeſaid, or of the ſaid Townes of Pemſey, Wincheſley, Haliſings, or Kie, upon paine of C. T. likewiſe to be recovered and employed as is aforeſaid. 23. Eliz. 5.

Chriſtopher
Dorrell.

6 This Act, nor any thing therein contained, ſhall extend to any woods or underwoods, now ſtanding or growing, or which hereafter ſhall ſtand or grow in or upon any lands of Chriſtopher Dorrell Gent. in the pariſh of Petwigate, within the Wiſdes of the Countie of Suſſex, which woods of the ſaid Chriſtopher have heretofore been, and be by him preſerved and coppied for the uſe of his Iron workes in thoſe parts. 23. Eliz. 5.

No new Iron
mill ſhall be ſet
up in Suſſex,
Suſſex, &c.

7 No perſon or perſons ſhall make, erect, build, or new ſet up, at, or in any place within the Counties of Suſſex, Suſſex, or Kent, or any of them, any manner of Iron Mills, furnace, ſinarie, or blowarie, for the making or working of any manner

of Iron, or Iron mettall, other then either vpon such old & former boies or pennes, whereupon hath lately ben, or at the time of the new erection shal be then standing some Iron mills, furnace, or hammer, or else in and vpon such lands as the partie or parties so erecting any such intended new worke, shal continually furnish the same with sufficient supply of his, or their owne woods, standing or growing in and vpon his or their owne proper soile, or land being to him or them in fee simple, fee tail, or for terme of life or times, without impeachment of wast, at the least, & not otherwise. And shal conuert, or employ, or cause to be conuerted or employed to coales or other fuel, for the making or working of Iron, or Iron mettall, in, or about any Iron mills, furnaces, hammers, finarie, forge, or blomarie, the bodie or bodies of any sound timber tree or trees, apt for the making of good and sufficient clest wares, or sawing timber of Oke, Ash, or Elm, growing of the breadth or bignesse of one foot square at the stub, or any part of the same bodie or bodies of any such tree or trees, vpon paine of forfeiture for euery Iron mill, furnace, forge, finarie, or blomarie, made, erected, builded, or set vp, contrarie to the tenor and true meaning of this Act, thre hundred pounds: And for euery bodie of euery such timber tree, so employed or conuerted to coale or fuel, for the making or working of Iron, as is aforesaid, s. to the D. and J. to be recovered by A. B. B. or J. wherein no C. C. P. 427. Eliz. 19.

Good timber shall not be consumed for the making of Iron.

8 It shall and may be lawfull to and for the owners of such trees, the bodies whereof haue bene or shall be from time to time conuerted and employed to or for any maner of timber or clest ware, within the Wields of Sussex, Surrey, or Kent, or any of them (the same not being within viij. miles of the Citie of London, or viij. miles of the riuer of Thames, or foure miles of the towne of Rie and Wincelles, or within thre miles of Hastings, or within foure miles of the foot of the Hills called the Downes betwene Arundel and Densley in the Countie of Sussex, aforesaid, or any of them) to employ the tops and offals of all such trees, to, or for coales or other fuel, serving to or for iron workes, at their owne wil and pleasures, this statute, or any other ec. notwithstanding. 27. Eliz. 19.

Tops and offals of trees employed to Iron workes

9 Iron made in England, and Iron brought into England and there sold, shall not be carried out of England, vpon paine of forfeiture of the double value to the King. 28. E. 3. 5.

1 None shall make Bilbow Iron like the fashion of gads of Steele. S. Steele.

Jurors, Iuries, and Enquests.

If any Shirife or Bailife doe put into any Iurie (others then such as be next neighbours, most sufficient, and least suspicious) and is thereof attainted, he shal pay vnto the plaintife his double damages, and be amerced vnto the King. 28. E. 1. 9. 34. E. 3. 4. 42. E. 3. 11.

What sort of people shalbe returned vpon euery Iurie.

2 Old men above lxx. yeres of age, being continually sicke or diseased at the time of the summons, or not dwelling in the Countie, shall not be put in Iuries, or petit Assises, and there shall be no moze summoned in one Assise, then xxiij. But this shall not extend to great Assises, in which many times it behoueth knights to passe not resident in the countie, for scarcitie of knights. W. 1. 2. 13. E. 1. 37. They which do purchase charters of exemption, and libertie, not to be impanelled in Assises, Iuries, and Enquests, yet if their othes be so requisite, that without them iustice cannot be ministered, and in great Assises, Perambulations, and in wordes or writings of Conenants (where they be named for witnesses) or in attaints, and in other like cases, they shall be compelled to swear, swearing to them at another time their foresaid libertie and exemption. Marib. 52. H. 3. 14.

Exemptions by age or grant.

3 No Indictor shalbe put in Enquests, vpon deliuerance of the indictes of se.

Indictor.

Jurors, Juries, and Enquests.

- lonie or trespassse, if he be challenged for the same cause by him to which is indicted. 25.E.3.3.S.Challenge 6.
- Officer of the Forest.** 4 No Foster, Werder, Regard, Agist, or other officer of the forest, shalbe put in any Assises, Juries, or Enquests, to be taken out of the same Forest. 34.E.1.
- Juroz taking reward to give his verdict.** 5 If any Juroz sworne in Assises, or other Enquests to be taken betwene the R. and the partie, or betwene partie and partie, do by himselfe or any other take any thing of the plaintife or defendant to give his verdict, and therof is attainted at the suit of the partie, which will sue for himselfe, or for the R. or of any other person (entring his plaint by bill, immediatly before the Justices, before whom the Jurie was sworne) the said Juroz shall pay ten times so much as he hath received. And all those which be Impraceors to lead and procure such Enquests in the Countrey to make a gain and profit thereof, shalbe punished as the Juroz: and if the Juroz or Impraceor is attainted, have not wherewith to make recompence, in some aforesaid, he shalbe one yere imprisoned, which imprisonment shall not be pardoned for any fine: and the partie grieved may have his action before other Justices, if he will. But no Justice or other Officer shall enquire of office, upon any of the points of this stat. but only at the suit of the partie, or of others, as aforesaid. 34.E.3.8.38.E.3.12.S.Attaint 17.
- Impraceors.** 6 If any Juroz in Assises, Juries, or Enquests, take of the one partie, and of the other, and be thereof only attainted, he shall not after be put in any Assises, Juries, or Enquests, but shalbe sent to prison, and further punished of the R. pleasure. And the Just. before whom such Assises, Juries, and Enquests shall passe, have power to enquire and determine, according to this statute. 5.E.3.10.
- Juroz in indictments.** 7 No Indictment shalbe made by any persons which be outlawed before Just. of Record, or which have fled to Sanctuary for Treason, or Felonie, there to have refuge, but by Enquest of the Kings liege lawfull people, returned by the Sherifes or Baylives of Franchises, without any denomination to the Sherifes or Baylives of Franchises before made, of any person of the names which by him shall be returned (except it be by the officers of the said Sherifes or Baylives of Franchises knowne and sworne to make the same, and other ministers to whom it appertaineth by the lawes to make the same.) And if any Indictment be made in any point to the contrary, the same shalbe void and revoked. 11.H.4.9.S.the force of this statute for the denomination in some respects altered by the statute next following.
- Panelz returned by the Justices.** 8 But all panels returned, which be not at the suite of any partie, that shall be made and put in, by every Shire and their ministers, before any Justice of Oale deliverte, or Justice of peace (whereof one to be of the Quorum) in their open Sessions, to enquire for the King, shalbe reformed by putting to, and taking out of the names of the persons that be so impanelled, by every Shire and their Ministers, by the discretion of the same Justices, before whom such persons shal be returned. And the same Justice and Justices shall command every Shire, and their ministers in their absence, to put other persons in the same panell by their discretions. And the same panels so reformed by the said Justices, to be good and lawfull. And if any Shire, or other ministers, at any time do not returne the same panell so reformed, then every such Shire or minister so offending, for every such offence shal forfe. l. to the R. and l. to be recovered by A.B. &c. wherein no W. &c. &c. And the R. pardon shalbe no barre against the partie in the same, that shall sue any such action. 3.H.8.12.
- Enquest to enquire of concealment of other enquests.** 9 The Justices of Peace in every Shire of this Realme may take by their discretions an Enquest (whereof every man shal have lands and tenements, to the yearly value of xl.s. at the least) to enquire of the concealment of other enquests taken before them & before other, of such matters & offences as are to be enquired & presented

ted before J. of Peace, whereof complaint shalbe made by bill or bills, as well within franchise, as without. And if any such concealment be found of any Enquest had or made, within the year after the same concealment, every person of the same Enquest shalbe amerced for the same concealments, by the discretion of the same Justices of Peace, the said amercedments to be assessed in plene Sessions. 3. H. 7. 1. S. Leet 6. 11.

10. So Shyrie, Under-shyrie, or Bailiffs of Libertie, shall put in any recognisance of Wises, Iuries, Enquests, or Attaints that shall passe out of their proper Countie any person of their Bayliwikes (except he hath lands & tenements to the yerely value of 100. s. at the least) or that shall passe within the Countie (except he hath lands to the value of 21. s. yerely. 21. Edw. 1.) Neither shall any of them, or other Bayliffe, retorne upon any writ or precept to them directed, to retorne any Enquests in any pannell thereupon to be made, any baylifes, officers, or servants of any Shyrie, Under-shyrie, Shyrie's Clerke, Coroner, Sherward of Franchise, Bailiffe, or Warden of prisons, in any pannell by them so to be made. 23. H. 6. 10. S. Iustices of Peace 90.

Sufficiency of shalbe.

Shyrie, coroner, or gao. lers servants.

11. No person shall be admitted to passe in any Enquest unto triall of the death of a man, or in any Enquest betwixt party and party in plea reall, or in plea personall whereof the debt and damages declared, does amount to forty marks, if the same person hath not lands and tenements of the yerely value of 21. s. above all charges, so that he be challenged for that cause by the party &c. 2. H. 5. 3. But this Statute doth extend onely to Enquests to be taken or made betwixt denizen and denizen, and not to Enquests or pzoofs to be taken or made betwixt aliens and denizens, according to the Statute of 28. Edw. 3. 13. for that purpose ordained. 8. H. 6. 29.

Enquest touching the life of man, plea reall, or forty marks damages.

12. Upon complaint made to one or more J. of Peace, of entry or detaining of lands with force, the said Justice shall make his precept to the Shyrie of the same Countie, commaunding him in the R. behalfe, to cause appeare before him, sufficient & indifferent persons, dwelling nere unto the place where such force is, to enquire thereof, whereof every one hath lands or tenements to the cleere yerely value of 21. s. upon every of which Jurie the Shyrie shall retorne 12. men, upon the first precept twentie shillings, upon the second 21. shillings, upon the third 100. s. and at every day after, double. And if the Shyrie, or any Bayliffe, having retorne of Writs, do slacke, and doe not duly execute the said precepts, he shall forf. for every default 11. l. to the King, and also pay to him a fine. 8. H. 6. 9. S. Force 2. Justice of Peace 89.

Juries to enquire of forcible entry.

13. If a Shyrie or other person, which ought to retorne writs or precepts, do retorne before any Escheator or Commissioner, any persons to inquire of lands or tenements, except every of the same Jury so returned, or other to his use, have lands or tenements of the yerely value of 21. s. above all charges within the same Shyre where the inquiry shalbe made, he shall forf. for every person so returned 21. s. (except the same Juries be returned before an Escheator in a city or corporate town, or which is made by any person having privilege to make Escheators. 1. H. 8. 8. 3. H. 8. 2. S. Escheator, Office, Inquisition.

Juries returned before Escheators or Commissioners.

14. If any Bailiffe, or other officer in any Countie of this Realme, doe retorne or inpanell in any pannell to be taken, or put in, or upon any inquisition or inquiry, before the Shyrie in his Turne, other then such as be of good name and fame, and which have lands or tenements of freehold within the same Counties, to the yerely value of 21. s. at the least, or else Copyhold lands and tenements holden by Customs of the same Countie, to the yerely value of 21. s. viij. s. above all charges at the least, he shall forf. for every person so inpanelled, or returned, not being of the sufficiency aforesaid 21. s. and the Shyrie other 21. s. to the R.

Juries in the Shyrie's turne.

Jurors, Iuries, and Enquests.

and J. &c. to be recovered by A. of Debt, wherein no C. p. &c. And every Indictment, taken before the Shirefe in his Turne, in any other maner, shall be void. 1. Rich. 3. 4.

Triall of felonies in corporat towne

15 Every person being the B. naturall subiect bozne, which either by name of a Citizen, or a freeman, or any other name, doth enjoy the liberties of any Citie, Borough, or Towne corporat, where he dwelleth, being worth in moveable goods to the cleere value of xl. l. shall be admitted in triall of Murders & felonies in every Sessions and Gaoles of deliveries kept in and for the liberty of such Citie, Borough, or Towns corporat, albeit he hath no freehold. But this Act extendeth not to any knight or Esquire, dwelling, abiding, or resorting in or to any such City &c. 23. H. 8. 13.

Jurors impanelled in the Courts in London.

16 No person shall be impanelled, summonned, or sworn in any Jury or Enquest in Courts within the Citie of London, except he be of lands, tenements, goods, or cattels to the value of xl. markes. And no person shall be impanelled, summonned, nor sworn in Iuries or Enquests in any Court within the said Citie, for lands or tenements, or action personall, wherein the debt or damages amounteth to the summe of xl. markes, or above, except he be in lands, tenements, goods, or cattels, to the value of 100. markes. And the same matter & cause alleged, by any of the said parties by way of challenge, & so found, shall be admitted & taken in every of the said Courts as a principall challenge. And every such person impanelled or summonned to appeare in any Jurie or Enquest, before any of the Judges of the same Citie, making default at the first summons, shall lose and forfeit in issues xx. s. and at the second default y. s. & so at everie default after that, the issues and penalties shall be doubled. And all such issues lost in the Mayor's Court shall be forf. levied, and perceived to the use of the Mayor and commonalty of the said citie. And all such issues lost in the Shirefes Court or Courts, shall be forfeited, levied, and perceived to the use of the Shirefes of the same Citie for the time being toward their six farme. 11. H. 7. 21.

Issues returned.

And for all such issues in forme aforesaid to be lost or forfeited in the Mayor's Court, it shall be lawfull to the said Mayor, and to his successors to distraine, and the same distresse to retaine, untill he or they be satisfied of the said issues. And in like maner it shall be lawfull to the said Shirefes, and their successors, to distraine for such issues lost in their Courts, and the same to retaine, untill they be satisfied of the said issues. 4. H. 8. 3. And the Shirefes of London have authoritie to returne in panels of all actions and suits depending in the Kings Bench and common place, or Exchequer, and triable at W. Partins the ground in London by Nisi prius, persons being citizens, having goods to the value of 100. markes, or above, to trie the issues ioined in everie such action or suit. And the persons so returned shall be sworn, and doe in all such Iuries likewise in everie thing, as other persons shall doe, having lands, &c. to the verely value of xl. s. over all charges. The Shirefes of the said Citie shall returne upon the first distresse xx. s. in everie such action, or suit, upon everie of the Jurors impanelled to trie the issues ioined of all things triable in London by proces of Nisi prius out of the said Courts, upon the second distresse ij. s. iij. s. and upon everie distresse after that, the double value, untill a full Jurie in everie such action or suit shall appeare, and be sworn to trie the issues ioined in the same. And if the Shirefes make any returns upon such distresse, contrarie to the forme aforesaid, they shall forfeit ten pounds to the King and informer, wherein no wager, p. &c. 4. H. 8. 3. 5. H. 8. 5. See Challenge 3.

Panel in London of suit depending in the Courts at Westminster.

Issues returned.

Indictment in the County of Lancaster, of a feign dwelling in another Shire.

17 Every Indictment to be taken before any of the Kings Justices in the Countie Palatine of Lancaster, or before any Shirefe in his Turne, in the said Countie, whereby any person or persons, be supposed by the same Indictment to be, or to have bin inhabiting or conuerfant out of the said County, and within any other

other Countie within England, shall be taken by verdict of xij. men, whereof every of them, or some other to their use, shall have lands and tenements to the yearly value of 100.s. And no proces shall be made out of such Indictment, before it be duly examined before the Justices, within the said Countie, whether the said Indictors, and every of them, at the time of such Indictment taken, had lands and tenements within the said Countie of Lancaster, to the yearly value of 100.s. above all charges. And if it be found that every of the said Indictors at the time of the said Indictment taken, had not lands &c. to the said yearly value of 100.s. then the Indictment, as to such persons so indicted, supposed by the said indictment to be inhabiting or coustant out of the said Countie of Lancaster, shall be void. 33.H.6.2.

18 And in like sort every such indictment taken in any other Countie, of any person inhabiting within the Countie of Lancaster, shall be taken by the verdict of xij. men, every of them having lands to the yearly value of 100.s. in that other Countie, or else the indictment shall be void. 33.H.6.2.

19 In all cases where any Juror to be returned for the trial of any issue or issues joined in any of the Duchies Courts of the Kings Bench, Common pleas, and the Exchequer, or before Justices of Assise, by the lawes of this Realme now in force, ought to have estate of freehold in lands, tenements, or hereditaments, of the cleere yearly value of xl.s. in every such case, the Jurors that shall be returned, shall every of them have estate of freehold in lands, tenements, or hereditaments, to the cleere yearly value of foure pounds at the least. And the writs of Venire facias, which shall be awarded and directed for the impanelling of Juries in the cases aforesaid, shall be in this forme: Regina &c. Precipimus &c. quod Venire facias coram &c. duodecim liberos & legales homines de Viceneto de B. quorum quilibet habeat quatuor libras terrarum, tenementorum, vel reddituum per annum ad minus, per quos rei veritas melius sciri poterit, Et qui nec &c. and so forth the residue of the said writ after the auncient forme. And upon every such writ and writs of Venire facias, the Shirefe or other ministers to whom the making of the panell shall appertaine, shall not returne in any such panell, any person, unless he may dispend iij. l. by the year at the least of freehold out of auncient demesne, within the Countie where the issue is to be tried, upon paine to forfeit for every person being returned in any such panel, that cannot dispend iij. l. freehold as is aforesaid xx.s. 35.H.8.6. 2.Edw.6.32. 27.Eliz.6. And in every writ of Venire facias, wherein the said clause (quorum quilibet &c. shall be omitted) the Shirefe or other minister to whom the making of the panell shall appertaine, shall not returne in any such panell any person, unless he may dispend some lands or tenements, of estate of freehold, out of auncient demesne, within the Countie where the issue is to be tried. And also shall returne in every such panell (viz. both where the said clause quorum quilibet shall be inserted, or omitted) six sufficient Hundreders at the least, upon paine to forfeit for every person returned in any such panell, that cannot dispend some land by the year xx.s. and for every Hunderd omitted xx.s. 35.H.8.6. 2.Edw.6.32. At, or upon the trial of any issue joined in any personal action, no further challenge for the Hundred shall be admitted, if two sufficient Hundreders do appeare, at, and upon the trial of such issue. Provided nevertheless, that all other challenges, principall, or for other cause, shall be admitted, allowed, and tried, in such order and forme, as if this Act had never bin made. 27.Eliz.6. 35.H.8.6.

20 Upon every first writ of Habeas corpora, or Distringas, with a Nisi prius, delivered of record, the Shirefe or other minister or ministers to whom the making of the returns shall appertaine, shall returne in issues upon every person impanelled & returned upon any such writ at the least x.s. And at the second writ of Habeas corpora,

Indictment of one dwelling in the County of Lancaster.

Venire facias where each Juror may dispend iij. l. of freehold.

Venire facias where each Juror need not dispend iij. l.

Hundreders.

Two Hundreders suffice in a personal action.

What issues shall be returned upon Juries.

Jurors, Juries, and Enquests.

corpora, or Distringas, with a Nisi prius, upon every person impanelled and returned upon any such writ, *xx.s.* at the least. And at the third writ of Habeas corpora, or Distringas, with a Nisi prius, that shalbe further awarded upon every person impanelled and returned upon such writ *xxx.s.* And upon every writ that shal be further awarded to trie any such issues, to double the issues last afoze specified, untill a full Jury be sworn, or the proces otherwise ceased or determined, upon paine to forf. for every returne of issues contrary to the forme afozesaid *v. l.* to the Quene and J. to be recovered in any Court of Recoꝝ by A. B. P. J. &c. wherein no *W. C. p. &c.* provided that this Act shall not extend to any Juries or issues to be returned in any City or Towne corporate, or other towne or place privileged to hold plea, or in the *xx. Shires* of Wales, but that they shall and may be returned as heretofore they lawfully might have bin, this Act &c. notwithstanding. 27. Eliz. 6. 35. H. 8. 6.

Juries returned upon a Jury not summoned.

21 The Justices shal not put in Assises or Juries any other then were summoned to the same at the first. 13. E. 1. 30. And if any Shirefe, Under Shirefe, Balife, or other minister do returne any person or persons to be summoned to appeare in any Jury wherein he shall for default of his appearance lose or forf. any issues, where in truth such person shall not be lawfully summoned: When the same Shirefe, Under Shirefe, Balife, or other minister by whose default such person shalbe returned, summoned, as afozesaid, shall forf. lose and pay unto the said person and persons so returned, double the value of the issues by such Jury or Juries lost or forf. for his default of appearance. 27. Eliz. 6. 35. H. 8. 6.

Receiving reward for not returning any Juror.

22 If any Shirefe, Under Shirefe, Sherifes deputies, Shirefe, or Under Shirefes Clarke, or any Balife of Franchise, shall receive, take, or have by himselfe, or by any other, any summe of money, reward, or other profit directly or indirectly, or do take any promise, make an agreement, or assent to have any summe of money, reward, or other profit directly or indirectly, of any person or persons, for the sparing, not warning, or not returning of any person to be sworn as a Juror, for the triall of any issue joined, or to be joined in any of the *ii. Courts* afozesaid (viz. the *ii. Bench*, Common Pleas, & Exchequer) or before any Justices: When every Shirefe, Under Shirefe, Balife, &c. so offending, shall forf. for every such offence *v. l.* to the Quene and J. to be recovered in any Court of recoꝝ, by A. B. P. J. &c. wherein no *W. C. p. &c.* 27. El. 6.

Tales at the plaintifes request.

23 In every writ of Habeas corpora, or Distringas, with a Nisi prius, where a full Jury shall not appeare before the Justices of Assises, or Nisi prius, or else after apparance of a full Jury, by the Challenge of any of the parties, the Jury is like to remaine untaken for default of Jurors: then the same Justices, upon request made by the partis plaintife or demandant, shall have authoritie to command the Shirefe, or other minister or ministers, to whom the making of the said returns shall appertaine, to name and appoint, as often as need shall require, so many of such other able persons of the said Countie then present at the said Assises, or Nisi prius, as shall make up a full Jury, which persons so to be named and impanelled by such Shirefe, or other minister or ministers, shall be added to the former panell, and their names annexed to the same. And every of the parties shal and may have his or their challenge to the Jurors so named, added, and annexed to the said former panell by the said Shirefe, or other minister or ministers, in such wise, as if they had ben impanelled upon the Venire facias, awarded to trie the said issue. And the said Justices shall and may proceed to the triall of every such issue with those persons that were before impanelled and returned, and with those newly added and annexed to the said former panell by vertue of this Act, in such wise as they might or ought to have done, if all the said Jurors had ben returned upon the writ of Venire facias, awarded to trie the said issue. And all and every such trial had, shalbe

shall be as good and effectual in the law, to all intents and purposes, as if such trial had bin had and tried by xij. of the Jurors impanelled and returned vpon the writ of Venire facias, awarded to trie such issue. And in case such persons as the said Shirefe, minister or ministers shall name and appoint, as is aforesaid, or any of them, after they shall be called, be present and doe not appeare, or after his or their apparance, do wilfully withdraw him or themselves from the presence of the court: Then such Justices shall and may set such fine vpon euery such Juror, making default, or wilfully withdrawing himselfe, as is aforesaid, as they shall thinke good by their discretion, the said fine to be leuied in such maner and forme, as issues so setted and lost by Jurors for default of their apparance at the Common Law, haue been accustomed to be leuied. And where any Jurie, that shall bee returned by the Shirefe, or other minister or ministers, shall bee made full by the commaundment of the said Justices, by vertue of this Act, yet notwithstanding such persons as were returned in the said panell by the Shirefe, or other minister or ministers, to trie any such issue that shall not appeare, but make default, shall lose the issues vpon them returned, in such wise as though the same Jurie had remained for default of Jurors. 35. H. 8. 6. 2. Ed. 6. 32. A like Statute was made An. 5. Eliz. 25. That if a full Jurie should not appeare before the Justices of the great Sessions in any of the Shires in Wales, or in the Counties Palantine of Chester, Durham, or Lancaster, or after apparance by challenge of any of the Jurors, the Jurie were like to remaine vntaken for default of Jurors: That then the said Justices, or their Deputies, vpon request of the Plaintife or Demaundant might commaund the Shirefe, or other Ministers to appoynt so many others of the said Counties then present, as should make vp a full Jurie. Et sic de ceteris verbatim & supra.

The Jurors making default, shall lose issues.

Tales in Wales, Chester, Lancaster, Durham.

24 The Justices of Assise, and Nisi prius, before whom any triall shall be made, by vertue of any writ of Habeas corpora, or Distringas, with a Nisi prius, where a full Jury shall not appeare, or after apparance of a full Jury, by challenge the Jury is like to remaine vntaken, for default of Jurors, shall haue authoritie vpon request made for the D. her heires or successors, by any authorised thereunto, or assigned by the Justices of the Court, before whom the said Enquest shall be taken, or vpon request to be made by the partie that followeth, as well for the D. her heires and successors, as for himselfe, vpon any penall stat. or his, or their attorney, to commaund the Shirefe, or other minister or ministers, to whom the making of the said returns shall appertaine, to name and appoint, as often as need shall require, so many of such other able persons of the said County then present at the said Assises, or Nisi prius, and to adde and annere the names to the former panell, as shall make vp a full Jurie of xij. men for the trial of euery such issue. And all and euery clause, sentence, article, and prouiso compysed in the said former Act of 35. H. 8. shall be taken, interpreted, and expounded, to giue the like and the same aduantage to the quene, her heires and successors, and all such person and persons as shall pursue any action, bill, plaint, or information for the Quene, her heires and successors onely, or for her and the parties, as the party plaintife in any other action should or might haue by vertue of the said Act, in such forme and condition, to all intents and purposes, as if such actions or suites had bene particularly declared in the said Act. 4. & 5. P. & M. 7.

Tales in a suit vpon a penall statute.

25 In all cases where the partie plaintife or demaundant by any statute heretofore made, may haue vpon his request, made vnto the J. of Nisi prius, within England, or to the J. of Oyer, or of Assises of the xij. Shires of Wales, & of the counties palantine of Lancaster, Chester, & Durham, a Tales de circumstantibus, in euery such case, the parties tenants, actors, auowants, & defendants (if the plaintifes or demaundants shall vpon the calling of the principall panell or Jurie, so beare or refuse

Tales de circumstantibus for the def.

Jurors, Juries, and Enquests.

use to pay the same) shall and may upon their request have upon the same record, & by the same Justices, the Tales. or Taleses de circumstantibus, unto them granted, in like maner, forme, and degree, to all respects, as the plaintife or demandant in any suit or action may have the same, by any statute or ordinance heretofore made or set forth. 14. Eliz. 9.

Tales for the
def. in popular
actions.

26 And likewise the defendant shall be admitted to pay and have a Tales de circumstantibus in all popular actions, informations, bills, or suits commenced or had in any of the Qu. Courts of Record, upon any penall lawes or statutes, wherein any person shall sue, prosecute, or informe, as well for the Quiene, her heires, and successours, as for himselfe, whereupon issue shall be joined, to be tried by the country. 14. Eliz. 9.

Juries in At-
tainment.

27 If the ground Jury in Attaint appeare not upon the first distress had against them, so that the Jury for their default doe remaine, he that maketh default shall forfeit to the King upon the first distress x. s. upon the second distress xl. s. and after making default, for everie default v. l. and the like for. shall they make which be named in the Tales, 23. H. 8. 3. 13. Eliz. 25. And if any of the Jurors of the ground Jury impanelled and summoned in the Courts within the Citie of London, at the summons make default, so that the Attaint remaineth to be taken for default of Jurors, then everie of the same Jurors so making default, shall for. for the first default xl. s. and at the second default v. l. and at everie default after that x. l. and like proces shall be made and sued there against the ground Jury and the petit Jury, and the partie and parties, as is to be made and sued in Attaint sued at the common Law. And the same proces shall be made returnable at everie Hustings of Common places, and the Attaint shall not remaine to be taken after the first summons returned, for. or by the default of the def. or tenant, defendants or tenants, or of any of the petit Jury named in the same Attaint by this Act ordained. And the penalties forfeited by any of the said ground Jury, shall be levied to the use of the Hospitall and Communitie of the said city, wherein no p. or C. shall be allowed &c. 11. H. 7. 21.

Jurors dis-
charged of
their issues
upon cause.

28 Upon a reasonable excuse for default of apparance of any Juror sufficiently proved before the Justices of Assises, or Nisi prius, at the day of their apparance, by the Oth of two lawfull and honest witnesses, the said Justices shall have authoritie by their discretions to discharge everie such Juror of everie such forfeiture of issues upon him returned. And the Shireffe or other minister having commandement by the said Just. to omit the returning of such issues as is aforesaid upon such Juror or Jurors, shall be therein discharged of the penalties aforesaid for the non-returning of the said issues: And yet notwithstanding the said returne shall be good and effectuell in the law, any law, custome, &c. notwithstanding. And if the said J. before whom any such Jury should appeare in the countie where such issue is to be tried by vertue of a writ of Nisi prius, do not come at the day and place appointed, but that the same Assise or Nisi prius for that time shall be discontinued for non-coming of the said Justices, or for any other occasion, other then by default or lacke of Jurors: When every one of the said Jurors shall be discharged for forfeiting of any issues upon him returned in the same writ. And the Shireffe or other minister shall be likewise discharged of the penalties of this Statute, for the not returning of such issues as therein are limited: any article or statute herein contained &c. notwithstanding. 35. H. 8. 6. 2. Ed. 6. 32. A like branch of a statute was An. 5. Eliz. 25. for the authoritie of the Justices, or their deputies, to discharge any Juror of his default of apparance at the great Sessions in the xxj. Shires in Wales, or in the Countie Palantine of Chester, Durham, or Lancaster. Et sic de ceteris verbatim, vt supra.

Not coming
of the Justi-
ces.

Justices in
Wales, Che-
ster, Lancaster,
& Durham.

29 In all maner of enquests and proses which be to be taken or made amongst Aliens

Aliens and Denizens, be they Merchants or others, as well before the Mayor of the Staple, as before any other Justices or ministers, although the King be party, the one halfe of the Enquest or p[ro]ofe shall be of Denizens, and the other halfe of Aliens, if so many Aliens be in the towne or place where such Enquest or p[ro]of is to be taken, that be not parties, nor with the parties in contracts, pleas, or other quarrels, wherof such Enquests or p[ro]ofes ought to be taken. And if there be not so many Aliens, then shall there be put in such Enquests or p[ro]ofes, as many Aliens as shall be found in the same towne or place, which be not the parties, nor with the parties as aforesaid, and the remnant of Denizens, which be good men, and not suspicious to the one partie, nor to the other. 27. Ed. 3. 8. 28. Ed. 3. 13. 2. H. 5. 3. 8. H. 6. 29.

In Enquest
shalbe de Me-
dicare linguę,
where an Ale
is partie.

30 But if it happen any outlandish person, calling himselfe an Egyptian, or any such stranger, to commit within this realme any murder, robbery, or felonie, and thereof be indicted and arraigned, and do plead not guilty, or any other plea triable by the countrey, then the Enquest that shall passe betwixen the B. and such party, shall be altogether Englishmen. 22. H. 8. 10. And in like sort that the Enquest be, where any of the said Egyptians is indicted of felonie for continuance within this realme by the space of one moneth. 1. & 2. P. & M. 4. 5. El. 10.

Egyptians.

31 So Jurie shall be compelled to appeare in any of the M. Courts at Westminister, for the trial of any issue in any suit, upon any penall Law, for any offence committed above 30. miles from the city of Westminister, except in case where the Attorney general for the time being, for some reasonable cause in that behalfe sheweth, that require the same to be tried at the Barre in any of the courts of the M. Judges, her heires or successors, at Westminister aforesaid, which request shall be noted on the backside of the writ of Distringas thereupon awarded, to the end the shirife or his bailife may and shall signifie the same to the Jurie that are in such cases impanelled. 18. El. 5. 27. El. 10.

Where Juries
shall not be
compelled to
appeare at
Westminister.

32 The J. of Assise shall not compell the Jurors precisely to say that it is a disseisin, or not, so they will declare the truth of the matter, and require the Ju. helpe. But if they willingly say, that it is a disseisin, or not, their verdict shall be received at their owne perill. Westm. 2. 13. Ed. 1. 30.

The Jurie
may give
their verdict
at large.

33 So Shirife, Coroner, or other person to whom it shall appertaine to make returne of any writ, shall returne any Juror dwelling out of libertie, without the true addition of the place of his dwelling, or above, at the time of the said returne, or within one yere next before the making of any such returne, or some other addition, by which the party returned may be knowne: For any Juror within any libertie, with other addition, then such, as shall be delivered to him by the Bailife of the said libertie, or his deputy, certified under his or their hand: For any Bailife of any libertie, nor any his or their deputie or deputies, shall of himselfe returne any Juror, or deliver to the Shirife, his under-shirife, deputie, or deputies, the names of any persons to be returned upon any panell or Jury, without the true addition, certified under his or their hands to the Shirife, of the place of dwelling or abode of every person so to be returned, at the time of the said returne, or within one yere next before the said returne, or some other addition, by which the party returned, may be knowne. 27. El. 7. 39. El. 18.

So Juror re-
turne d with-
out addition
of his dwell-
ling place,

34 For certain of issues, against any Juror returned, as aforesaid, shall be delivred out, executed, or put in by without such addition as is put in the original panell or Writ, wherein such Juror shall be so returned. And no under-shirife, bailife, or other officer, or person whatsoever, shall collect, lewie, or gather any issues so executed, or of any other person or persons, then of such person or persons, as by vertue of the said writ, is or right charged, or chargeable, with the payment of the said issues, upon paine that every Clarke that shall writ, or deliver, or cause, or procure any such

In every Ex-
traordinary
against a Ju-
tor, his addi-
tion shall be put

Jurors, Iuries, &c. Justices of both &c.

such extreat to be deliuered out, receiued, or put in use, and every other person offending contrary to the intent and meaning of this Act, shall forfeit to the Duene, her heires and successors, *ij. l. vi. s. viij. d.* and to the *ps. grieved*, or which shall susteine any losse thereby, *ij. l. vi. s. viij. d.* to be recovered by *A. B. p. or J.* in any Court of record, where in no *Act. c. 13.* shalbe allowed. *27. Eliz. 7. 39. Eliz. 18. S. Justice of Peace 99.*

35 In all actions triable in any of the *h. Courts* at Westminster by Jurors of the Countie of Middlesex, at the *iiij. day* after the returne, the Jurors shal be called, & notwithstanding that the plaintiffe or def. make default, or be assigned, the appearance of them or any of them shalbe reco^ded & entered by the Court, & they shal not be amerced, nor lose any issues. Every default, essoine, & other delay of any person plaintiffe or def. in any personal action heretofore used, by this ordinance shal not be preiudiced, nor taken away, but to be adiudged, adjourned, and allowed, in as ample sort as they were before the making of this Statute. *8. Ed. 4. 3.*

1 Iuries taken by the Marshal of the Kings house, shalbe of the countrey thereabout. *S. Marshal 4.*

2 A Iurie charged to inquire of trespass committed with a Forest, shall give their verdict where they received their charge. *S. Forests 7.*

3 Of what sufficiencie Jurors returned to inquire of Riot, Rout, or vnlawfull assembly ought to be. *S. Riots 7. 15.*

4 Of what sufficiencie Jurors returned in Attaint ought to be. *S. Attaints 1. 6. 7. 14. 21.*

5 Where the Iurie shalbe de Medietate lingue. *S. Attaint 11.*

6 Where Jurors may be impanelled in one Countie to inquire of any thing, or matter in another. *S. Attaint 7.*

7 What Jurors shalbe impanelled for the triall of him which feloniously imbeasileth a record. *S. Felonie 1 8.*

8 Where a Iurie shall be taken for an Infant, as though hee were of full age. *S. Age 1.*

9 Within what time panels of Assise shalbe arraied, and copies deliuered to the parties. *S. Assise 8.*

10 Where a Tales shalbe awarded into another Countie then where the issue is to be tried. *S. Attaint 7.*

11 A Bailife shalbe appointed for the keeping of a Iurie in Wales, and the punishment of those Jurors ther, which do wrongfully acquite any Felon or Murderer. *S. Wales 114. 115.*

Justices of both the Benches, of Assise, Gaole deliuerie,
and of Nisi prius.

The Justices
Dite.

You shall sweare, That well and lawfully you shall serue our Soueraigne Lord the King, and his people, in the office of Justice, and that lawfully you shall counsell the King in his businesse, and that you shall not counsell, nor assent to any thing which may turne him in damage or disherison, by any manner way or colour. And that you shall not knowe of any damage or disherison of him, whereof you shall not warne him by your selfe, or some other. And that you shall doe equall Law, and execution of right to all his Subiects, rich, and poore, without hauing regard to any person. And that you take not by your selfe, or by other, p^ruilege or openly, gift or reward of gold or silver, nor of any other thing, which may turne to your profit, vⁿlesse it be meat or drinke, and that of small value, of any man that shall haue any plea or proces hanging before you, as long as the same proces shall be so hanging, nor after for that cause. And that you shall take no fee
as

as long as you shall be Iustice, no: robes of any man great or small, but of the King himselfe. And that you give none aduice no: counsell to any man, great or small, in no case where the King is partie. And in case that any (of what estate or condition they be) come before you in your Sessions with force and armes, or otherwise against the peace, or against the soyme of the Statute thereof made, to disturbe execution of the common Law, or to menace the people that they may not pursue the Law, that you shall cause their bodies to be arrested and put in prison. And in case they be such that you cannot arrest them, that you certifie the King of their names, and of their offence speedily, so that he may thereof provide convenient remedie. And that you by your selfe, no: by other priuily, no: openly maintaine any plea or quarrell depending in the K. Court, or elsewhere in the Countrey. And that you denie to no man common right, by the Kings letters, or any other mans, no: so: any other cause: And in case any letters come to you contrarie to the Law, that you doe nothing by such letters, but certifie the King thereof, and procede to execute the Law, notwithstanding the same Letters. And that you shall doe and procure the profit of the king, and of his crown, in all things, where you may reasonably effect the same. And in case you shall be from henceforth found in default in any of the points aforesaid, you shall be at the Kings will, of bodie, lands, or goods, to be done therewith as shall please him, So helpe you God and all Saints. 18. Edw. 3.

2 Anno 20. Edw. 3. 1. 2. The effect of the same is commanded, confirmed, and enacted, And further it is there ordained, That the Barons of the Exchequer shall do right and reason to all the K. subjects great and small, and shall deliuer the people reasonably without delay of the businesse which they haue to doe before them, without vniue falsying. And moreover it is there enacted, That Iustices assigned by Commission to heare and determine, and such as shall be associated to them, And also Iustices of Assises to be taken in the Countrey, and of Gaole Delinerie, and such as shall be assigned and associat to them, shall first make such an Othe in all points, according as to them shall be inioyned by the Kings Councell, or in the Chauncerie, before such Commission shall be deliuered vnto them.

Barons of the Exchequer.

Iust. of Oyer & determine.

Iust. of Assise.
I of Gaole delinuerie.

3 God and discret persons (other then of the places, if they may be found sufficient) shall be assigned in all the Shires in England to take Assises, Juries, and Certifications, and to deliuer the Gaoles. And the Iustices assigned to deliuer the Gaoles shall haue power to deliuer the same Gaoles of those that shall be indicted before the Sherdeins of the Peace. And the said Sherdeins shall send their Indictments before the Iustices, and they shall haue authoritie to inquire of Sherrifes, Gaolers, and other, in whose ward such indicted persons shall be, if they make delinuerance, or let to mainprise any so indicted which be not mainpernable, and to punish the said Sherrifes, Gaolers, and other offending against this Act. 4. Edw. 3. 2. The Iustices of either Bench, of Assise, and Gaole delinuerie shall heare and determine the Offences of those Sherrifes, Gaolers, and Keepers of prison which by duress doe cause a prisoner to become an Approner. 1. Edw. 3. 7. Iustices of Assise shall inquire of the demeanors of Sherrifes, Eschevours, Bailifes of franchises and their Underministers, and of Spaintainors, Common Embarcours, and Jurors, and punish all them which they shall find guiltie. 20. Ed. 3. 6. Iustices of the one Bench & of the other, and Iust. of Assise and Nisi prius shall inquire of, heare, and determine of Spaintainers, Bearers, Conspirators, & Committers of Champertie. And that which cannot be determined before the Iustices of the one Bench, or the other upon the Nisi prius so: the shortnesse of time, shall be adiourned into the place whereof they be Iustices, and there be determined as right and reason shall require. 4. Ed. 3. 11.

Offences which they may inquire of and determine.

Iustices of both the Benches, Of Assise, Gaole &c.

No man shall sit with the J. of Assise. 4. No Lord, or other of the country, great or small, shall sit upon the bench with the J. of the Assise in their Sessions, in any of the Shires of England, upon paine of a great soyl. to the King, neither the Iustices shall suffer the contrarie to be done. 20. R. 2. 3.

No man shall be Justice of Assise in his own Countie. 5. No Justice, nor other man learned in the Lawes of this Realme, shall use nor exercise the office of J. of Assise, within any county where he was borne or doth inhabite, upon paine to soyl. so; every offence done contrary to this Act, 100. l. to the King and J. to be recovered by A. J. wherein no W. C. P. But this Act doth not extend to any clerke of Assises associat to any Justice of Assise, so; he may exercise the office of Clerkship of Assise in any Countie, citie, or towne, where he doth dwell, or was borne: Neither doth this Act extend to the Iustices, Justice clarkes, or Clerke of Assises within the B. Duchie and Countie Palantine of Lancaster, nor to the J. of the one Bench or the other, so; taking, hearing or determining Assises in the said Courts, nor to any Justice that shall take any assise by or upon adiournment so; difficulty of the same, nor to any Sheriffs, Mesners, Stewards, Bailiffs, Dutoys, or other officers in any citie, borough, or towne, but they may be J. of Assise of fresh soyl, or of other Assises, in the same citie, borough, or town, where he or they do dwell, or were borne, as they might have bene before. 33. H. 8. 24. 8. Rich. 2. 2.

Where Iustices shall keepe their Sessions 6. Iustices of Assise & Gaole delivrie shall keepe their sessions in the principall & chiefe townes of every county, viz. where the countie courts of the same Counties be holden, or shalbe holden. 6. R. 2. 5. But the Chancelor of England shall have authority with the advice of the J. to reme by the same from time to time, when needs shalbe. 11. R. 2. 11. And the Sessions of the J. of Assise & gaole delivrie within the county of Cumberland shalbe holden in the time of peace & truce in the city of Carlisle, and in none other place. 14. H. 6. 3.

Iustices of Nisi prius shall deliver the Gaole.

7. The Iustices before whome inquisitions, enquests, & iuries shall be taken by the B. writ called Nisi prius, according to the forme of the statute thereof made, have power of all the cases of felonie, and of treason, to give their Judgements, as well where a man is acquit of felonie or of treason, as where he is therof attainted, at the day and place where the said inquisitions, enquests and iuries be so taken, and the from thenceforth to award execution to be made by force of the same indgements. 14. H. 6. 1.

1. What suites commenced before Iustices of Assise shall not be discontinued by death, new commission, association, or not coming of the Iustices. S. Discontinuance 2. 6.

2. New Iustices of Gaole delivrie have authoritie to give judgement against a prisoner found guiltie, and reprieved. S. Discontinuance 5.

3. Iustices of Assise and Gaole delivrie may inquire of severall offences prohibited by severall Statutes. S. Iustices of Peace.

Iustice and Right.

Iustice shalbe done to all.

Iustice shall be sold, deferred, or denied to no man: Neither shall any man be condemned but by lawfull triall. Magna Charta 9. H. 3. 29. No man shall be attached, nor forejudged of life, lands, or goods, against the forme of the great Charter, and the Law of the Realme. 5. Ed. 3. 9. The Iustices of any Bench, or Court what soever, shall not let to doe, or execute the Common Law, so; any commandement which shall come unto them, under the great Seale, or priue Seale. 2. Ed. 3. 8. 5. Ed. 3. 9.

Nothing shall be taken for Repoyt.

2. No person to whom any order or cause shalbe committed, or referred by any of the B. Judges or Courts at Westminster, or any other Court, shall directly or indirectly

directly, or by any art, shift, colour, or device, have, take, or receive any money, fee, reward, covenant, obligation, promise, agreement, or any other thing, for his report or certificate by writing, or otherwise, upon paine of forfeiture of 100. l. for every such report or certificate, and to be deprived of his office and place in the same Court: The one moiety of the said for. to be to the K. his heires & successors: The other moiety to the party grieved which will sue for the same at any time during the said suit, or within one yere after the same cause discontinued or decreed: and in his default of such suit, to him or them that will sue for the same by W. B. P. or J. in the Starre chamber, or any of the K. Courts of record at Westminster, in which sute by W. B. P. or J. no W. C. P. D. P. or any other delay shall be admitted. 1. Jacobi 10.

3. Provided nevertheless, that it shall be lawful for the Clerke to take for his paines for writing of every such report or certificate 10. s. for the first time, & 5. s. for every tyme after, and no more, upon paine to forfeit 1. s. for every penie taken over and above the said summe, to be had and recovered as aforesaid. 1. Jacobi 10. S. 28. Edw. 1. 5.

Iustices of Peace.

In every Countie of England, good and worthy men, which be no maintainers of leuill, nor Barretors in the Countrey shalbe assigned to keepe the Peace. 1. E. 3. 16. Two or thre of the most worthy men of Counties shall be assigned keepers of the Peace by the K. Commission. And at what time neede shall be, the same with other wise and learned in the Law shall be appointed by the K. Commission to heare and determine felonies and trespasses done against the peace in the same counties, and to execute punishment reasonably, according to law, reason, and the manner of the fact. 18. Ed. 3. 1. 17. R. 2. 10. which Iustices shall be assigned (of the Lords, 34. E. 3. 1.) and the most worthy and sufficient knights, esquires, and men learned in the Law of the same counties, 13. R. 2. 7. by the aduice of the Chancelor, and the Kings Councell, without taking other persons dwelling in foraine shires to execute the same office, except lords and J. of ass. & the K. chiefe stewards of his duchie lands in the North & South parts for the time being. 2. H. 5. 1. And 6. J. of P. of every shire, named of the Quorum, shalbe resident within the same shire, except Lords named in the Commission of the Peace, and also except the J. of the one Bench & the other, the chiefe Baron of the Exchequer, Sericants at the Law, and the K. Attorney, for the time that the same Iustices, chiefe Baron, Sericants at the law, and the K. Attorney be attending and occupied in the K. Courts, or otherwise in some other place occupied in the K. seruice. 2. H. 5. 4.

Iustices shall be resident within the shire.

2. The Bishop of Ely and his successors, and their tempozall stewards of the isle of Ely for the time being, shalbe J. of P. within the said isle, and shall vse with in the same isle all things that do belong to any J. of Peace, within any Countie of this Realme. And so shall the bishop of Durham &c. and his tempozal Chancelor of the County Palantine of Durham, be J. within the same county &c. And in like sort shall the Archbishop of York, &c. and his tempozal Chancelor of the shire and libertie of Hexam, called Hertoldsham, be Iustices within the same shire. 27. H. 8. 25.

Bishop of Ely
Durham.
York.

3. No man shall be appointed J. of the Peace in any county, if he haue not lands or tenements to the value of 100. l. by yere, and if any man be ordained J. of P. in any County, which hath not lands and tenements to the said value, he shall giue know ledge thereof to the Chancelor of England, which shall put another which is sufficient in his place, and if he do not giue notice thereof within one moneth, after he hath knowledge of the same commission, or if he sit or make any warrant or precept

Of what thing J. of P. ought to be,

Iustices of Peace.

by force of such Commission, he shall be put out of that Commission, and also shall forfeit twentie pounds to the King and Informer, to be recovered by Action of debt at the Common Law. But this Statute doth not extend to Cities, Towns, or Boroughs, which be Counties incorpored of themselves, nor to Cities, Townes, or Boroughes, which haue Iustices of Peace of any persons dwelling therein by the commission or graunt of the King or any of his progenitors. And if there be not sufficient persons learned in the Law, and of good gouernance in the same Countie, hauing Lands and Tenements to the value aforesaid, the Chancelor of England by his discretion may put other persons learned in the law in such Commissions, though they haue not lands or tenements to the value aforesaid. 18.H.6.11.

Iustices oth

4 Iustices of Peace shalbe sworn, truly and without fauour to keepe and put in execution all Statutes and Ordinances touching their offices. 13.R.2.7. And euery Iustice of Peace, before he shall take vpon him, or be allowed to exercise the same office, shall take and pronounce a corporall Othe vpon the Euangelists, for the maintenance of the Qu. iurisdiction ouer all estates, and for the abolishing of foraine powers repugnant to the same. 1.Eliz.1. For the forme of the Othe. S. Crowne 4.

O. Sessions.

5 Iustices of Peace shall hold their Sessions foure times in the yeare, that is the first weeke after the feast of S. Michael, the first weeke after the Epiphanie, in the first weeke after the clause of Easter, and the first weeke after the translation of S. Thomas the Martyr, and moze oft if neede be. And the same Iustices shall hold their Sessions through the realme of England in euery of the aforesaid weeks yearly. 2.H.5.4. Euery of which foure Sessions the said Iustices shall hold by the space of iij. daies, if neede be, vpon paine to be punished by the aduice of the Kings Councell, at any mans suit which will complaine. But the Iustices of the one Bench, or the other, or the Seruants of the Law, where they be in Commission of the Peace, are not bound to keepe the Sessions foure times in the yeare, as other Commissioners, which be continually dwelling in the Countrey, but they shall doe it when they may well intend it. 12. Rich. 2.10. And Iustices of Peace of the Countie of Middlesex, are discharged of the said penaltie, for not keeping Sessions foure times in the yeare (the Court of the Kings Bench sitting in the same County.) But the Iustices of the said Countie of Middlesex shall keepe their Sessions twice in the yeare at the least, and moze often if neede be, for any Riot, or forcible entrie made within the same Countie, vpon the paines and forfeitures by Law for such offences provided. 14.H.6.4.

Iust. of peace of Middlesex.

Iust. wages.

6 Euery Iustice of Peace shall take for his wages iij. s. a day during the time of their Sessions, and their Clerkes ij. s. of the fines and amerciaments rising and coming of the same Sessions, by the hands of the Shirefe. 12.R.2.10. But no Duke, Earle, Baron, or Baronet, being Iustices, and keeping the Sessions, shall take any wages for the same office. 14.R.2.11.

Estreats.

7 Iustices estreats shalbe double, and one part shalbe deliuered by them to the Shirefe, to leuie the money thereof rising, and to pay to the Iustices their wages by the Shirefes hand, by indenture made betwixt them: And the Iust. shall put their name to the said estreats, with the number of the daies of their Sessions, that the Shirefes may know to whom to pay wages, and to whom not, And the Barons of the Exchequer, whom to allow, and whom not. 14.R.2.11.

Iustices iurisdiction, and what things they are to inquire of.

8 The Iustices of peace, or thre of them at the least, wherof one to be of the Quorum, in euery Shire of this Realme and Wales, and all other places within the Kings dominions, haue authoritie to take information by the deposition of two honest and lawfull persons at the least, And after to inquire by the othes of twelue men in euery their foure Quarter Sessions, of all and singular accusations and informations

informations made of any the offences prohibited by the Stat. provided 1. Edw. 6. Unreuerent speaking against the Sacrament.
 against such as shall speake uncreuerently against the Sacrament of the bodie and blood of Christ &c. and for the receiuing thereof vnder both kinds, within the limits of their commission. And vpon every such accusation and information the offendour shall be enquired of, and indicted before the said Just. of peace, or thre of them at the least, of the said contempts and offences, by the verdict of twelue men, if the matter of the said accusation & information shal seme to the said Jury good & true. And the said J. of P. or thre of them at the least, before whom any such presentment, information, and accusation shall be made, shall examine the accusers, what other witnesses were present at the committing of the said offence, and how many others then the accusers haue knowledge thereof, and haue authoritie by their discretions to bind by recognisance, as well the said accusers, as all such other persons, whom the accusers shall declare to haue knowledge of the offences by them presented and informed, every of them in v. l. to the R. to appeare before the said Justices, before whom the offendour shall be tried, at the day of his triall and deliuerance. And the Justices of Peace, or thre of them at the least, haue authoritie to make Procces against euerie person so indicted, by two Capias and Exigent, and by Capias velagatum, as well within the limits of their Commission; as into all other Shires and places of this Realme, Wales, and other the Kings Dominions, as well within liberties as without, and the same Procces shall be good in the Law to all intents, and vpon the apparance of the offendour, they haue authoritie to determine the said offences, according to the lawes of this Realme, and effect of this Act. And also they haue authoritie to let any person so indicted, by their discretions, to baile for his apparance, to be tried according to the tenor of this Act. And the said Justices of Peace, or thre of them at the least, at their Quarter Sessions, where any offendour shall be indicted of any of the offences aforesaid, shall award a Writ in the Kings name, to the Bishop of the Dioces, wherin the offence is supposed to be done, requiring him to be in his owne person, or by his Chauncello, or other his sufficient Deputie learned, at the Quarter Sessions in the said Countie to be holden, when and where the offendour shall be arraigned and tried, appointing in the said Writ the day and place of the arraignment, which writ shall bee of this forme.

Iacobus &c. Epo Salutem. Præcipimus tibi quod tu, Cancellarius tuus, vel alius Deputatus tuus Iustificiter eruditus, sis cum Iusticiarijs nostris ad pacem, in Consilio nostro B. cōseruand' assignat apud D. tali die, ad Sessionem nostram ad tunc & ibidem tenendam, ad dādum consilium & ad iusticiam eisdem Iusticiarijs nostris ad pacem, super arraignamēt & deliberationem offendēt contra formam Statuti cōcernēt sacrosanctum Samentum Altaris. But no person shall be indicted of any contempts or offences aforesaid, but only of such as shall be presented within thre moneths next after the offence committed. But in all trials for any such offences before the said Justices, the person complained on and arraigned, shall be admitted to purge or trie his innocencie, by as many or more witnesses in number, and of as good honestie and credence, as the witnesses be, which be deposed against him. 1. E. 6. 1. 1. El. 1. S. Sacraments 1.

9 Justices of Assise in their circuits, and Justices of Peace within the limits of their commission, or two of every such Just. of P. at the least (whereof one to be of the Quorum) shall haue authoritie in their Quarter Sessions, to enquire of all offences, contempts, and transgressions, committed by any person resistant within any of the R. dominions, or vnder her power, which shall be writing, cypheing, printing, preaching, or teaching, aduisedly and wittingly stand with, extoll, maintain, or defend the iurisdiction or power of the Bishop of Rome, or his See, heretofore claimed &c. or shall attribute any such Iurisdiction or preeminence to the

Writ to the Bishop.

Maintaining the authoritie of the Bishop of Rome.

Iustices of Peace.

said Sea of Rome, or to any Bishop thereof, in like maner as they may of other offences against the D. peace. And shall certifie euerie presentment before them or any of them had, or made, concerning the same, or any part thereof, into the Kings Bench, within forty daies next after any such presentment made, if the Terme be then open: And if not, at the first day of the full Terme next following the said forty daies, upon paine that every of the said Just. of Assise, or Just. of Peace, before whom such presentment shalbe made, making default of such Certificat, to forfeit for every default to the Quene, her heires and successours, one hundred pounds. 5. El. 1. S. Rome 1.

Recusants.

10 All and every offences committed against the Act provided Anno 23. Eliz. (to retaine the Quenes subjects in their due obedience) or against the Acts of the 1. 5. or 13. yeres of her raigne, touching acknowledging of her supreams gouernment in causes ecclesiastical, or other matters, touching the seruice of God, or coming to Church, or establishment of true Religion within this Realme, shall and may be inquirable as well before Iustices of peace, as other Iustices named in the same Statutes, within one yere and a day after every such Offence committed. And Iustices of Oyer and Terminer, and Iustices of Assise, and of Gaole Deliuery, in their severall limits, haue power to inquire, heare, and determine of all offences against this Statute. And Iustices of Peace in their open Quarter Sessions of Peace, haue power by vertue of this Act to inquire, heare, and determine of all offences against this Act (except Treason, and Conspiracy of Treason) 23. Eliz. 1. S. Rome 2. &c. Sacraments 10. Recusants 1 &c. for the authoritie of Iustices of Assise, Gaole Deliuery, and Peace, touching Recusants, S. 3. Jacobi 4. Recusants 4. 2. 53.

Preachers.

11 All and singular Just. of P. Just. of Assise, Just. of Oyer and Determiner, and all and singular Maiors, Bailiffs, and Just. of peace, within any Citie, Borough, or Towne corporate, within any parts of this Realme, within the limits of their Commissions, haue authoritie to inquire of all and singular offences and misdemeanors committed contrarie to the Stat. provided 1. Ma. against offenders of Preachers, and other Ministers of the Church, and to heare and determine the same, and to set fines and amerçiaments on the said offenders, as in the said Statute is limited. 1. M. 2. S. Preachers 1. &c.

Buggerie.

12 Iustices of peace haue authoritie within the limits of their Commissions to heare and determine the offences of Buggerie, as they do in cases of other felonies. 25. H. 8. 6. 5. Eliz. 17. S. Buggerie.

Tipplers.

13 All offences to be done or committed, contrarie to the true meaning of the act made An 4. Jac. to restraine the utterance of Beere and Ale to Alehouse keepers and Tipplers not licenced, & all penalties therein contained, shall be inquired of, sued for, heard and determined, in the Sessions of the Peace for the Countie, Citie, or Borough, Towne, or Libertie, or in the Court of Record of the Citie, Borough, Towne, or Libertie, wherein such offence shalbe committed, by A. J. or P. wherein no C. P. or &c. shalbe allowed. 4. Jac. 4. S. Alehouses 11.

Souldier.

14 Just. of P. haue power to inquire, heare, and determine the offences of all Souldiers mustering and receiuing the Kings wages, which doe depart from their Captaine within their terme, without licence, as they do and may in other cases of Felonie. 18. H. 6. 19. 2. Ed. 6. 2. S. Captaine 2. Felonie 23.

Carrying of Sheepe.

15 Iustices of Oyer and Terminer, Just. of Gaole deliuery, and Just. of P. in every shire within the D. dominions, haue authoritie to inquire of every person offending contrarie to the Statute provided against carrying over sea. Rams, Lambs, and other Sheep alive, and to heare and determine every offence committed contrarie to the effect of the same, according to the course of the Lawes of the Realme. 8. Eliz. 3. S. Sheepe 1.

16 At every such time as any information shall be made of any unlawfull hunting by night, or with painted faces, in any forest, parke, or Warren, to any of the Kings Councill, or to any Justice of peace of the Countie where such hunting shall be, of any person suspected thereof, it shall be lawfull to any of the same Councill, or Justice of peace, to whom such information shall be made, to make a warrant to the Sherrife, or to any Constable, Bailife, or other Officer of the same Countie, to arrest and take the same person, to haue him before the maker of the same warrant, or any other of the K. Councill, or Just. of peace of the same Countie: And the Counsellor, or Justice before whom such person shall be brought, shall haue power to examine him of the said hunting, and of the doers thereof, and if he conceale the offence, or any offender, it is felonie, and if he confesse the truth, and all that he shall be examined of and knoweth in that behalfe, then the offence of hunting by him done, shall be against the King but trespassse finable, to be assessed at the next generall Sessions by the Justices there. And if any Rescous, or disobedience be made to any person, hauing authoritie to do execution or iustice by any such warrant, by any person which should be arrested, so that execution of the same warrant thereby be not had, then the same rescous and disobedience shall be felonie, and the same felonie shall be inquired of and determined as other felonies bene. 1. H. 7. 7. S. Forests 1.

Hunting with
Widdes.

17 The Justices of peace of the counties of Suffolke and Cambridge within the Isle of Ely, at euerie of their Sessions within the same Isle and counties, haue power to cause inquirie to be made of euerie Offence committed in breaking up, cutting, or casting downe new Potwike in Marshland in the countie of Suffolke, and old ffield Dike by Marshland in the Isle of Ely in the County of Cambridge, and to award like proccesse against euerie offender, with like iudgement and execution of the same (if he be found guiltie) as the same Just. haue vsed to do, vpon other felonies at the common law. 2. H. 3. 11. 2. & 3. P. & M. 19.

Potwike.

18 Justices of P. haue power to heare and determine at the Kings suit all manner of felonies and trespasses committed against the peace in the same Countie: And to restraine offenders, riotors, and all other barrettors, and to pursue, take, and chasten them, to imprison and punish them according to their trespassse and offence, also to reforme them according to the said Justices discretion: And to take and arrest all those which they can find by indictment or suspicion, and to commit them to prison: And to take of all those which be not of good fame in the place where they remaine, sufficient suretie and mainprise of their good abearing or behaviour towards the King and his people, and the other duely to punish, to the intent that the people be not by such riotors troubled or indamaged, nor the peace broken, nor any passengers by the way disturbed, or put in perill. But the fines which Justices shall assess upon any person for any offence shall be reasonable, hauing regard to the quantitie of the trespassse and the cause. 2. E. 3. 6. 18. E. 3. 2. 24. E. 3. 1.

Felons.
Trespaslers.
Barrettors.

19 Justices of Peace haue authoritie to inquire in their Sessions of all manner of Escapes, of euerie person arrested and imprisoned for felonie. 1. R. 3. 3. And also to inquire of the escape of any murderer, & to certifie thereof the K. in his Bench. 3. H. 7. 1.

Reasonable
fines.

Escape.

20 Just. of P. at their Quarter Sessions haue authoritie to inquire as well by the othes of ry. men, as by information giuen to them by any person, of all defaults, offences, and contemptes committed against the Lawes and Statutes made and provided before 16. die Januarij, An. 3. H. 8. concerning, or in any wise touching Retainers, giuing of Lierties, Signes, Tokens, or Badges, Maintenance, Intibacrie, Bowstaves, Archerie, unlawfull games, Forrestallers, Regraters, Victuall, Victuallers, and Inholders, and euery of them) and to heare and determine the said defaults, offences, &c. And vpon any information touching the premises, or any

Retainers.
Maintenance
Intibacrie.
Bowstaves.
Unlawfull
games.
Archerie.
Regraters.
Victuallers.

Iustices of Peace.

any of them, to make proces by Venire facias, one Capias, & an Exigent, under their Seales, against euerie such person and persons against whom such information or presentment shall be had for their appearance, before them in their Sessions, to answer to such information or presentment, as shall be there made. And if the person or persons accused by information or presentment, shall be convicted upon any such information, or &c. by confession or verdict of try. men: then the said Just. have power to give iudgement against euerie such offenders so convicted, of imprisonment, forfeiture of money, or both of them, as are limited in the said severall Statutes, for such offences, whereof they are convicted, and to cause execution thereof to be made accordingly. 33. H. 8. 10. 37. H. 8. 7.

Telling
newes.

21 J. of P. in every Shire, City, and Towne Corporat, within the limits of their severall Commissions, shall have full power to examine, heare and determine the causes specified in the Stat. of West. 1. 34. & 2. R. 2. 5. touching contriving, speaking, or telling any false newes of Prelates, Dukes, Earls, Barons, and other Nobles and Persones of the Realm &c. and to put the said two Stat. and every branch in them contained, in due execution, that condign punishment be not deferred from such offenders. 1. & 2. P. & M. 3. S. Newes 1.

Speaking of
Mault,

22 It shall and may be lawful for the J. of P. within this Realme in their open Quarter Sessions, or the moze part of them, by their discretions to suppress, discharge, or restraine the superfluous & vnnecessarie number of Maulters, in part, or in the whole: And to restraine such person or persons, as to their discretions shall seeme meet, from the buying of Barley to convert into Mault, in part, or in all, for such time as to their discretions shall seeme meet. 39. El. 16. S. Mault 6. &c.

Willfull perjury

23 The Just. of Assise and Gaole delivrie, in their severall circuits, and the J. of peace in every County within this Realme, or in Wales, at their Q. Sessions, both within the liberties and without, have authoritie to enquire of all and every the defaults and offences, committed contrary to the Stat. provided for the punishment of such, as shall procure or commit willfull perjury, by Inquisition, presentment, Bill, or Information before them exhibited, or otherwise lawfully to heare and determine the same, and thereupon to give iudgement, award proces, and execution of the same, according to the course of the Lawes of this Realme. 5. Eliz. 9. 29. El. 5. S. Perjury.

Prophecies.

24 All and every Iustices of Assise, Iustices of Oyer and Determiner, and Iustices of Peace, have authoritie to enquire, heare, and determine every offence committed within the limits of their Commission, contrarie to the tenor and meaning of the Statute provided 5. Eliz. against fond and phantasticall prophecies. 5. El. 15. S. Prophecies 1.

Dying with
Logwood.

25 The Iustices of Assise, or Iustices of Peace, at their Gaole Delivrie, or Quarter Sessions, shall have authoritie to indit, and trie, such as shall offend, contrarie to the Statute provided 23. Eliz. 9. against dying with Logwood, alias Blockwood, by the vsuall course of Indictments and Trials in like cases. And after such conviction, to adiudge the offenders to be set openly vpon the Pillorie. 39. Eliz. 11. S. Dying 2.

Musters.

26 All Iustices of Assise in their circuits, and all Iustices of Peace within the limits of their Commissions in their Assises and Sessions, shall and may from time to time enquire, heare, and determine every of the offences committed contrarie to the Stat. provided 4. & 5. Ph. & Ma. for the taking of Musters within the precinct of their Commission. And if any person shall be before them presented or indicted of any of the said offences, then the said Iustices shall and may award such proces against every such person so indicted, as vpon Indictments of Trespasse is used to be made. And if any such person so indicted, doe appeare, and confesse the same, or plead to the same Indictment, and after by verdict of twelue men shall be convicted,

uited, then the said Justices shall and may award such person to prison, there to remaine without baile or mainprise, vntill he hath paid the one moiety of the forfeiture specified in the said Act, vnto the Quene, and the other moiety vnto him, by whose evidence he shall be conuicted, and if such conuiction shall be without euident openly giuen by any person, then the partie conuicted shall remaine in prison, vntill he hath satisfied the whole forfeiture vnto the Quene. 4 & 5. P. & M. 1. S. Capitaine 12 &c.

27 All and singular Justices of Peace, as well within liberties as without, ^{Trasporting} within their severall authorities (at any time within three yerres next after such of ^{of vicualls.} offences committed) haue power to inquire, as well by the othes of twelve lawfull men, as also to heare and examine the shippers and carriers of the ships, Trayers, and every other person, of all and singular the offenders against the Act provided 1. & 2. Ph. & M. for the restraining of carying corne, beere, butter, cheese, herring, and wood beyond the Sea, and to heare and determine the same offences, as they may and ought to heare and determine any other trespasses or offences. 1. & 2. P. & M. 5. And Justices of peace in their Quarter Sessions, or the greater part of them, may by their writings, vnder their hands and seales, make any determination to the contrarie of that, which before was determined by the Just. of Assise, for the transporting of corne, or restraint thereof, if they shall find the same to be hurtful to the country by the meanes of dearth, or too much cheapnesse, and to cause their determination to be proclaimed. 13. El. 1. 3. S. Corne 1. 7.

28 Justices of Peace haue power at their general Sessions to heare and deter- ^{which time,} mine the offences committed contrarie to the Statute provided for the keeping of ^{which time,} Spilch kine, and for the breeding and rearing of calves, by bill, information, presentment, action of debt, or detinue: and every person that will, may sue for any penalte forfeited by the said Statute, within one yere after the offence committed, before the Just. of P. in the same Shire, where such cause of forfeiture shall be had, at the general Sessions, wherein no W. & C. P. or licence to the contrarie shall be allowed. 2. & 3. P. & M. 3. 13. El. 2. 5. S. Cattell 3.

29 The Justices of Peace of every Shire within this Realme, within the li- ^{tainings,} mits of their commission, haue authoritie at every of their general Sessions, to enquire, heare, and determine the offences of those which shall kill or cause to be killed any wainlings, vnder the age of two yerres, to the intent to make sale thereof, as well by information, or presentment, as by bill, or plaint, wherein no W. & C. P. 24. H. 8. 9. 1. Jac. 2. 5. S. Butchers 1. To continue to the end of the first Session of the next parliament.

30 The Justices of Peace, in every of their Sessions, shall haue full power ^{Spaking of} and authoritie to inquire, heare, and determine, as well by presentment of twelve ^{Paul.} men, as by accusation or information of two honest witnesses, of, for, and upon all and euery the offences and forfeitures, committed contrarie to the Statute made Anno 2. Edw. 6. for the true making of Paul, as well for the King, as for the partie that shall sue, procure, or cause the same to be presented. 2. Edw. 6. 10. 1. Jac. 2. 5. To continue vntill the end of the first Sessions of the next Parliament. S. Mault 1. &c.

31 The Justices of Peace in every Countie within this Realme, or Wales, ^{forfeillers,} at their Quarter Sessions, haue authoritie to inquire, heare, and determine all and ^{Regrators,} every the defaults and offences committed contrary to the stat. provided 5. E. 6. a- ^{Engrossers.} gainst Forfeillers, Regrators, and Engrossers, within the Countie, where any such Sessions shalbe kept, by inquisition, presentment, bill, or information, before them exhibited, and by examination of two lawfull witnesses, or by any of the same waies, by the discretion of the said Justices, and to make Procces thereupon, as though they were indicted by inquisition or verdict, and upon the conviction of the

Iustices of Peace.

offendo; by information oꝝ suit of any other then the *J.* to make extracts of the moitie of the forfeiture to be leuied to the *J.* use, as they do of other fines, *Amers*, &c. growne in the Sessions, and to award execution of the other moitie foꝝ the Compl. oꝝ Inf. against the offendo; by *Fieri fac'*, oꝝ *Capias*, as the *J.* Iustices at Westminster do. And if the conuiction be at the Kings suit onely, the whole forfeiture shall bee extracted and leuied to his onely use. 5. Ed. 6. 14. 13. Eliz. 25. See Forehallers &c.

Recognizance
of Badgers,
Djouers.

32 The *J.* of *P.* in their generall Sessions, shall oꝝ may by their discretions take bond and suretie by recognizance of euerie such as shall be allowed a common Djouer of Cattell, Badger, Lader, Bidder, Carrier, oꝝ Buyer of Cozne, Graine, Butter, oꝝ Cheese, that he shall not by colour of his licence foꝝe sale, engrosse, oꝝ pꝛa-
cise any thing contrarie to the tenoꝝ, oꝝ true meaning, oꝝ in defrauding of the Stat. of 5. E. 6. 14. oꝝ of any thing therein contained. Anno 5. El. 12.

Licence of
Badgers, and
Djouers &c.

33 The Iustices of peace in euery Countie within this Realme, oꝝ Wales, at their Quarter Sessions, haue authoritie to enquire, heare, and determine all de-
faults and offences, committed contrarie to the Stat. pꝛouided 5. Eliz. foꝝ the licen-
cing of Badgers of Cozne, & Djouers of Cattell, within the Countie where such
Sessions shall be kept; by inquisition, presentment, bill, oꝝ information, befoꝝe
them exhibited, and by examination of two lawfull witnesses; oꝝ by any of the said
wayes, by the discretion of the said Iustices, and to make pꝛoces thereupon, as
though they were indicted by inquisition oꝝ verdict, and vpon the conuiction of the
offendo; by any Information oꝝ Suit of any other then the *J.* *Quene*, to make ex-
tracts of the moitie of the forfeiture to be leuied to the *Quenes* use, as they do of
other fines &c. growne in the Sessions, and to award execution of the other moi-
tie foꝝ the Compl. oꝝ inform. against the offendo; by *Fieri facias*, oꝝ *Capias*, as the
J. Iustices at West. do. And if the conuiction be at the *J.* suit onely, the whole
foꝝ. shall be extracted and leuied to her use onely. 5. El. 12. S. Badger &c.

Hunting of
Woeꝝ oꝝ
Conies.

34 The Iustices of Oyer and Terminer, Iust. of Assise in their circuits, and
Iustices of Peace, and Gaole deliuerie, in their Sessions, shall haue authoritie to
enquire, heare, and determine all and singular the offences committed contrarie
to the Statute pꝛouided Anno 3. Regis Iacobi. against vnlawfull hunting and
stealing of Woeꝝ and Conies, by Examination of the offendoꝝ, and to make and
award Woteffe thereupon, as well vpon indictments taken befoꝝe them, as by bill
of Complaint, Information, oꝝ any other Action: In which suit oꝝ action no Es-
soine, Protection, oꝝ Wager of Law &c. And if any person oꝝ persons at any time
hereafter shall be bound, befoꝝe any the Iustices befoꝝe mentioned, to the King, his
Heires, oꝝ Successors, foꝝ his oꝝ their good abearing foꝝ seven yeres, according to
the tenoꝝ of this Act, And the same partie oꝝ parties, so bound, shall after ward with-
in the said seven yeres come befoꝝe the Iustices of the Peace of the said Countie,
where the said offence was committed, oꝝ some of them, in open quarter Sessions,
and there in the said Sessions confesse and acknowledge his oꝝ their said Offence
oꝝ Offences, and that he oꝝ they is, oꝝ are soꝝie thereto; and satisfie the partie oꝝ
parties grieved, according to the tenoꝝ of this Act: When the same Iustices, befoꝝe
whom the said confession shall be made, shall and may haue power and authoritie
by vertue of this Act, in the same open Sessions, oꝝ in any other Sessions after-
wards to be holden befoꝝe the said Iustices in the said Countie, within þ said terme
of 7. yeres, if it shall seeme good to their discretions, to discharge the said Recogni-
sance and Bond so taken, and also the said party and parties so bound: This act &c.
notwithstanding. 3. Iac. 13. S. Forells &c. 9. &c. See 5. El. 21. The like authoritie
giuen to Iust. of *P.* to punish the vnlawfull taking of fish and Hawkes. S. Fish 7.
Hawkes 1.

35 Two Iustices of peace in their Sessions haue authoritie to call befoꝝe them
any

any person having no Parke, Chase, or Forrest of his own, which keepeth or causeth to be kept any Deer, Hares, or Buckstals, or which stalketh with any Butch or Beast to any Deer, being in any Chase, Parke, or Forrest, saving in his owne, without licence of the Owner, Master of the game, or keeper of the same Forrest, &c. or which killeth, taketh, or causeth to be taken any Herons, (except by hawking, or with Long Bow) or which any yong Herons out of the nest, without licence of the owner of the ground, where the nest is, and by their discretions to examine him in the premises. And if the party examined be found in default contrarie to the premises, then he shall be committed to prison, untill he hath found suretie for payment of the forfeiture to the R. And the Justices that examine him shall have the tenth part of every such forfeiture for their labour. Anno 19. H. 7. 11. S. Hunting 3. 4. Herons 1. 2.

Stalks.
Stalking.

Taking of
Herons.

36 Justices of Peace may and shall enquire of all lay men having not lands to the value of xl. s by the yeere, and of all Clerkes not having living to the value of x. l. by the yeere, which do keepe any dogges to hunt, or do use furets, haies, nets, harropipes, cordes, or other engines to take or destroy, Deer, Hares, Conies, or other gentlemens games, and shall punish them by one whole yeeres imprisonment. 13. R. 2. 13. S. Hunters 1.

Hunters.

37 All Justices of Peace, Sheriffs, Bailiffs, head Officers, and Constables, as well of Cities and Townes corporate, as in every Countie of this Realme, shall have authoritie yerely in the time of Lent, to enter into all houses of victuallers, and common victualling houses, within their iurisdiccions, where offences shall be suspected to be committed, contrarie to the Stat. of 1. Jac. 29. and finding any oren, beeres, &c. killed or dyessed, shall take and seize as forfeit, and give the same to prisoners, and other poore folkes, by their discretion. 1. Jac. 29. S. Fish daies 7.

Eating flesh
in Lent.

38 Justices of peace have authoritie to heare and determine as well by inquisition as information, & proofs, the offences of all those which shall take, or cause to be taken, any Fefants or Partridges, by nets, snares, or other engines, out of their owne Wlaxen, upon the threshold of any other person, without the licence of the owner or possessor. 11. H. 7. 17. S. Fefants 1. And the Justices of Assise in their circuits, and Justices of Peace in every Shire, Countie, and Towne corporate within this Realme in their Sessions, within the generall limits of their Commission, shall and may enquire, heare, and determine of all and everie offence and offences, which shall be committed within the precinct of their liberties, iurisdiccions, or franchises, against the tenor of the Act provided 23. Eliz. for the preservation of Fefants and Partridges. And every Justice of peace within every Countie of this Realme, shall within the limits of his commission, have power to examine all offenders in any article of the same statute, within the Countie where hee is or shall be Justice, if so be that the said offence or offences shall not before be heard or determined by the Justices of Assise in their circuits, or by the Stewards of Lictes, Liberties, or Latwadales, within their severall iurisdiccions, and also to take bond with good sureties, for his and their apparance that shall so offend, to appeare at the next generall Sessions of the peace to bee holden within the same Countie where the same offence shall be committed, to answer the said offence, and to pay the penalties or receive the punishment by this act appointed. 23. El. 10. S. Fefants &c. 2. 3. 4. 5. Lects 18. And all Justices of Assise in their severall circuits, and all the Justices of the peace in their generall quarter Sessions, and any two Justices of P. or more together, out of any Sessions, shall and may have authoritie to examine, heare, punish, and determine, all offences to be committed against the Stat. made 1. Jac. touching shooting in guns, and the preservation of the game of Fefants, &c. and to administer oathes, and to performe and execute all and every act and thing requisite for the due execution of the said Act. 1. Jac. 27. S. Fefants 6. &c.

Fefants,
Partridges.

Examining
of offenders.

Preservation
of Fefants,
Deer &c.

Iustices of Peace.

- Hawkes eggs.** 39 Iustices of P. haue authoritie, to heare and determine as well by Inquisition, as Information, and p[ro]tes, the offences of all them, which shall take, or cause to be taken, the eggs of any Faucons, Goshawkes, Laners, or Swannes, out of the nest, or shall take any Citer, Faucon, Goshawke, Terrell, Laner, or Lancet, or purposely b[ri]ue them out of their coverts accustomed to breed in, or cause them to goe to other coverts to breed, or kill them for any hurt by them done. 11. H. 7. 17. S. Hawkes. 3. 4.
- Destroying of fish.** 40 Iustices of Peace in their Sessions, Iustices of Oier and Determiner, and Iustices of Assise in their severall circuits, haue authoritie to enquire, heare, and determine all offences committed contrarie to the statutes p[ro]vided 1. El. touching the taking, killing, or destroying of fish, or frise and spawne (which be not presented at the next where they shall be committed) within one yere next after the offence committed. 1. El. 17. S. Fish 3. 4. Leete 6.
- Conservato[rs] of Salmons,** 41 The Iustices of peace of all the Counties of England, shall be Conservato[rs] of the stat. p[ro]vided 13. Ed. 1. & 13. R. 2. for the preservation of Salmons, in the Counties where they be Iustices. And they and euery of them, at all times when they may attend, shall suruey the offences attempted against the said Statutes. And shall suruey and search all the Weares in such riuers, that they shal not be very strait for the destruction of frise and b[ro]od, but of a reasonable widenesse after the old assise accustomed, and if any of them shall find default against the said Statutes, hee shall punish the offend[er] according to the content of the same Statutes. And the same Iustices, shall appoint vnder them good and sufficient vnderconservato[rs], which shall be swozne to make like surueying, search, and punishment without any fauour shewed. And the same Iustices in their Sessions shall enquire as well by their office, as at the information of the said conservato[rs], of all trespasses and offences, committed against any point of the said Statutes, and shall cause them which be thereof indicted, to appeare before them: And if they be thereof convicted, they shalbe imprisoned, and make fine after the Iustices discretion, and if the same be at the information of any of the vnderconservato[rs], hee shall haue the one halfe of the same fine. 17. R. 2. 9. S. Fish 1.
- Swore chandlers.** 42 The Iustices of Peace in euery Countie where they be Iustices, shall haue authoritie to enquire, heare and determine, all things done against the Statute 11. H. 6. 12. ordained for Ware chandlers. And aswell euery Iustice of peace in the Countie where he is Iustice, as Maiors and Bailifes within Cities and Boroughs, and Stewards of Ports shall haue power to examine and search as well by weights of works of ware, as by their discretion, of them that shall offend against the said statute, and to punish them that shall be found guiltie. 11. H. 6. 12. S. Ware 8.
- Hospitalitie.** 43 All Iustices of P. in euerie shire, where any offence shall be committed contrarie to the true intent of the act made 27. H. 8. (whereby religious houses of monks, Chanons, P[ri]ests, which might not dispend in lands &c. above the clere yearly value of two hundred pounds, were giuen to the said 12. H. 8. his heires and successors for ever: And whereby all persons, and bodies politique and corporat. to whom the said 12. H. 8. his heires and successors should giue, grant, let, or demise, any Site or precinct with the houses thereupon builded, with the demcanes of any of the said Religious houses, by that act dissolved, be bound to keepe, or cause to be kept an honest continuall house and household in the same Site or precinct, and maintaine Tillage) shall euery quarter and generall Sessions, within the limits of their commission, enquire of the p[re]misses, and haue full power and authoritie to heare and determine the same, and to take and asseesse no lesse fine for euery of the said offences, than in the said Statute is limited for the same: And the estreats thereof shalbe certified into the Exchequer according, & at such time and sojme, as other estreats of

of fines, issues, and amerciaments beens made by the said Just. 17.H.8.S.Husbandrie 1.

44 The Justices of Assise, or J. of P. in every Countie within this Realme at the assises or quarter or generall Sessions, shall have full power and authoritie to enquire, heare and determine all & every the defaults & offences committed or done contrarie to the act made (Anno. 39. El. for the maintenance of husbandrie & tillage) within the Countie where any such assises or sessions shall be kept. 39. Eli. 2. S. Husbandrie &c. 25. And the J. of assises to be holden within every county of this realme, shall have full power and authoritie to enquire of, heare and determine all and every the defaults and offences committed contrarie to the statute provided Anno 39. El. against the decaying of townes and houses of husbandrie, within the county where any such assises shall be kept upon inquisition, impleurment, bill, or information, to be exhibited before them. 39. El. 1. S. Husbandrie & Tillage 7. &c.

Husbandrie
and Tillage.

Townes.

Crossebowes
Handguns.

45 It is lawfull to all Justices of Peace in their Sessions, to enquire, heare, and determine everie offence committed contrarie to the tenor of the Statute made 33. H. 8. concerning Crossebowes and Handguns, so that alwaies no lesse fine than ten pounds be assessed upon everie presentment, and conviction made, according to the due course of the law, the same fine upon every such presentment and conviction, to be levied onely to the Kings use. And if any Jurie sworne and charged to enquire for the R. of any offences committed contrarie to the said Statute, doe willfully conceale any of the said offences: then the Justices before whom any concealment shall be had, have authoritie to charge and sweare another Jurie, to enquire of every such concealment, and if such concealment be found and presented by the said Jurie, then every of the first Jurie shall forfeit for every such concealment of every offence 11. s. to the King. And every Justice of Peace, upon due examination and proofe before him made of any person offending contrarie to the forme and effect of the said Statute, and arrested and brought to him by any other person, perceiving any such person to offend, hath power to commit the same offender to the next Gaole, there to remaine untill such time as the penalitie specified in the said Statute, shall be truly paid by the said offender: the one moiety to the king, and the other to the first bringer of the said offender to the same Just. But if the presentment, suit, or punishment for any thing forfeited by the said Statute to the R. be not commenced, or made within one yeare next after the offence committed, the said offender shall be thereof clerely discharged. 33. H.8.6. S. Gunnes.

The Jurie
concealing
offences.

46 Justices of Peace have power to enquire and determine all the offences committed contrarie to the Stat. provided 8. H. 5. concerning the gilding of mettall, and other things. 8. H. 5. 3. S. Gold 7.

Gilding.

47 Justices of peace in every Shire, Kiding, and other place in their quarter Sessions, have authoritie to enquire of all defaults, contemptes, omissions, and offences, committed contrarie to the effect of the Stat. provided 32. H. 8. concerning the breeding of hoxses of higher stature: And to heare and determine everie presentment found before themselves, or by the Steward, Deputie, or Court-holder of the same L. et or Latwday, as well by examination as otherwise: And the one halfe of all forfeitures specified in the said Stat. shall be to the R. and the other to the person that will sue for the same, before the same Just. by B. J. 47. 32. H. 8. 13. S. Horses 3. 4. 5. 6. 7. 8. 9.

Breeding of
Hoxses.

48 The Justices of Assises and Justices of Peace, have power within the limits of their authoritie, to heare and determine the defaults done contrarie to the Statute provided. 33. H. 8. concerning the keeping of great hoxses, as well by presentment as by information before them, as in other cases of trespassse and contemptes done against the forme of any Statute, and shall set no lesse paine upon such persons

Keeping of
Hoxses.

Iustices of Peace.

persons, as shalbe convicted, by confession or trial, for offending the said Act, than in the said Act is limited. 33.H.8.5.S.Horles 10. 11. 12.

**Transpor-
ting of wares.**

49 It is lawfull to the Warden and Wardens of the East, West, and Middle Marches for the time being, in their Warden Courts, and to the Iustices of peace in every shire, as well in England as in Wales, in their quarter Sessions, to enquire of all offences committed contrarie to the Act ordained 1.E.6. that no wares should be conveyed out of this Realme and other the Kings dominions without licence. 1.Ed.6.5.S.Horles 14.15.16.17.

Horsebreed.

50 Iustices of peace in every shire, libertie, or franchise, within this Realme, have authoritie to enquire, heare, and determine the defaults & offences of Horse-keepers and Holders, taking horsebreed, which is not sufficient, lawfull, and of due value, according to the price of coine, and to set such fines, and make like proces thereupon, as is commonly used to doe upon presentments of trespassse against the peace. 32.H.8.41.S.Inholders 2.

**Wardens of
the Port.**

51 All Iustices of Assise, Iustices of Gaole deliverie, & Iustices of peace, shall enquire, heare, and determine in their Sessions, all offences committed within their severall precincts, liberties, and iurisdiccions, contrarie to the stat. provided 1.Lac. touching Tanners, Carriers, Shoemakers, and other Artificers occupying the cutting of leather, and also shall by their discretions examine all persons suspected to offend the said act, or any parcell thereof. 1.Lac.22.S.Leather 45.

**Wages of
Knights of
the Parlia-
ment.**

52 All Iustices of the H.Bench, and of the common pleas, Ju. of Assises and gaole deliverie, and Ju. of peace, have power in their Countrie, to enquire, heare, and determine all defaults and offences committed by any person within the limits of their commission, contrarie to the stat. provided 23.H.6. for the levying and paying of the wages of the Knights of the Parliament, as well by enquire at the H. suit, as by action at the parties suit. 23.H.6.11.S.Parliament 12.

**Stollen hor-
ses.**

53 Just. of P. in everie place and countie as well within liberties as without, have authoritie in their Sessions, within the limits of their authoritie and commis- sion, to enquire, heare and determine all offences committed contrarie to the statute provided 2.& 3.P.M. against the buying of stollen horses, as they may doe any o- ther matter triable before them, and everie person that will, may sue for any summe lost by the said stat. before the Just. of P. 2.& 3.P.& M.7.S.Faires 4.5.9.

**Counterfei-
ting letters,
tokens.**

54 Aswell the Iustices of Assise for the time being, as also two Iustices of P. in everie Countie, Citie, Borough, Towne, and Franchise, whereof one to be of the Quorum, have authoritie to convent by proces, or otherwise, to the general Ses- sions, any person being suspected of any deceitfull getting into his hands, any mo- ney, or other things of any other persons, by colour of any false token, or counter- feit letter made in any other mans name, and to commit him to ward, or let him to baile, untill the next generall Sessions, and there to be further ordered by their dis- cretions. 33.H.8.1.S.Counterfeiting, &c.

Arrowheads.

55 Iustices of peace in everie Countie, have power to enquire of all false ma- kers of Arrowheads and Quarrels, and to punish them according to the stat. in that case provided. 7.H.4.5.S.Arrowheads 1.

Artificers.

56 All and singular Just. of Assise, and Just. of P. have authoritie to enquire, heare and determine, at all and everie their Sessions, all and singular offences com- mitted by Artificers, Workemen, Labourers and Wicnallers, against the statute for them provided 2.Ed.6. and to punish the offendo, according to the tenor of the same stat. 2.Ed.6.15.S.Artificers.

Informers.

57 Iustices of Oyer & determiner, Just. of Assise in their circuits, and Just. of P. in their quarter Sessions, have authoritie to heare and determine all offences committed, contrarie to the true intent and meaning of the stat. provided 18.El.2. to redress disorders in common Informers upon penall lawes. 18.Elz.5.27.El.10.S.

ACTIONS

Actions popular 4.5.6.7.

58 Justices of Peace in euerie Countie, haue power to enquire, heare, and determine, as well at the suit of the King, as of him which shall sue, of any thing committed contrarie to the statute provided against Purueioys, which will take o: buy any thing of the value of xl.s. o: vnder, of any of the K. liege people, without making reade paiment in hand fo: the same, against Constables, Tythingmen, and chiefe pledges, which vpon request doe not assist the owners to withhold and resist such Purueioys and buyoys, and against such of the Kings officers, as do procure any of the Kings people to be arrested, impleaded, o: vered, fo: such withhold- ding, o: not suffering, &c. and thereof to make due punishment and execution, and to award damages to the plaintife, when the plaintife is duely conuict. 20.H.6.8. S.Purueioys 22.

59 Justices of peace haue power to enquire, and hold plea of any offence committed by any of the K. Purueioys, o: o. her which doe buy o: take coine, by any o- ther measure, but by the striked bushell, and eight of them fo: the quarter, o: which doe take carriage thereof, and doe not make reade paiment: and thereupon aswell at the Kings suit, as at the parties, to punish them, according to the statute in that case p:ouided. 1.H.7.10.S.Purueioys 16.

60 The Chancellor o: his vicechancelor, o: Commissarie fo: the time being, in either of the Vniuersities of Cambridge and Oxfo:rd, with two Justices of Peace of the Counties wherein the said Vniuersities be set, haue power to enquire by the othes of ry. men, of, and vpon the defaults and offences committed contrarie to the Statutes (o: daining in what cases Purueioys may take virtuals within five miles of Cambridge and Oxfo:rd, and in what case they may not) and to see due punishment and reformation thereof, according to the said Statutes. 2.& 3.P.M.15.13.El. 21.S.Purueioys 32.

61 All and euerie Justices of Dyer and determiner, and Justices of Assises in all their Sessions, and all Justices of Peace in euerie Countie, and place of this Realme, o: thre of them at the least, whereof one to be of the Quorum, haue power to enquire, heare, and determine in their Sessions, of all persons which doe willingly vse any deceitfull act o: meane with Linnen cloth, whereby the same is made worse fo: the vse thereof, by Information, Indictment, o: vpon the Trauerse of any presentment o: indictment found before them, o: any of them. And the Justices before whom any offence shall be found, shall certifie the same by estreat into the Exchequer at Michalmas, as they be bound to doe other estreats. And the Barons of the Exchequer haue power to make p:ocesse fo: so much thereof, as by this Statute shall appertain to the D. 1.El.12.S.Linnen cloth 7.

62 The Justices of peace within every shire, at the generall Sessions holden at Michalmas, shall appoint two certain persons, hauing experience in Detoter and Wasse, to make search therein &c. in euerie part of that shire, as well within franchise as without (sauing in Cities o: Boroughs, where searchers be appointed by the gouernors of the same.) 19.H.7.6.4.H.8.7.S.Pewterers 5.

63 Justices of Assise, of Gaole deliuerie, and Justices of peace, haue power to enquire in their Sessions of all and euerie branch of the statute provided 13.H.8. fo: the maintenance of ar tillerie, of Buts, and fo: the making and selling of bowes, and to heare and determine the same. And also by their discretions to examine all persons lacking and not hauing bowes and arrowes, according to the said statute. 33.H.8.9.S.Archerie, Bowes 3.4.Buts 1.

64 It is lawfull to all and euerie the Justices of peace in every shire, & also, Sheriffs, Bailiffs, and other head Officers within euerie City, towne and borough, within this Realme, from time to time, as well within liberties as without, as need and cause shall require, to enter and resort into all and euerie houses, places, & alleys

Iustices of Peace.

- alleies, where unlawfull games shall be suspected to be used contrarie to the statute in that case provided. 33. H. 8. 9. S. Plaies &c. 5.
- Oppresting** 65 The Iustices of peace of every place and countie, as well within liberties as without, shall have authoritie in their sessions, within the limits of their authoritie and commission, to inquire, heare, & determine all offences committed against the statute provided An. 31. El. to avoid horse stealing, as they may doe any other matter triable before them. 31. El. 12. S. Faires 7. 8.
- Labourers.** 66 The Iustices of peace of every Shire, Riding, and Libertie, within the limits of their severall commissions, or the more part of them, being them resident within the same, and the Shireife of the Countie (if he conveniently may:) And every Shalve, Bailife, and other head Officer, within any citie, or towne corporate, wherein is any Iustice of Peace, within the limits of the said Citie, Corporation, &c. shall retely at euery generall sessions, first holden after Easter, or within five weeks next after Easter, assemble them selues together, and calling vnto them such graue and discret persons of the said Countie, Citie, Towne, &c. as they shal thinke meet, and conferring together, respecting the plentie or the scarcitie of the time, and other circumstances necessarie, shall have authoritie within the limits of their severall commissions, to limit, rate, and appoint the wages of Artificers, Handicraftsmen, Husbandmen, Labourers, Seruants, Workemen, Apprentices of Husbandrie &c. as they shal thinke meet to be rated, limited, &c. by the pere, or by the day, weeke, moneth, or otherwise, with meat and drinke, or without, and what wages euery workeman and labourer shall take by the great, for mowing, making, reaping, or threshing of Cozne, and Hay, or for ditching, paling, raling, or hedging by the rod, Berch, Lugge, Paro, Hole, Rope, or Foot, or for any other kind of reasonable labours, or seruice. 5. El. 4. The said statute, and the authoritie by the same statute giuen to any person or persons for assessing and rating of wages, and the authoritie to them in the said Act committed, shall be expounded and construed, and shall by force of this Act giue authoritie to all persons, hauing any such authoritie, to rate wages of any Labourers, Cleaners, Spinners, and workemen or workwomen whatsoeuer, either working by the day, weeke, moneth, yeare, or taking any work at any person or persons hands whatsoeuer, to be done in great or otherwise. And the Iustices of Peace or the more part of them, resident in such diuision in any Shire within this Realme, where in diuers Shires within this Realme, the Iustices of P. haue not vsually kept their general sessions in one place of the Shire together, but the generall sessions haue bene kept in severall places for severall diuisions, shall at the same generall sessions to be holden for the same Shire, Diuision, Riding, or Libertie, or at such time of rating of wages, as is limited by the said Act made Anno 5. Eliz. haue as full authoritie and power, to rate all manner of wages to be rated within the limits of such diuision in any such Shire, as if the same were done in the generall sessions for the said Countie, or by the most part of the Iustices, meeting for the rating of wages by the said Act. And after the rates made for wages, and ingrossed in parchment vnder the hands and seales of them hauing authoritie to rate the same, it shall and may be lawfull to the Shireife of the said Countie, or to the Shalve or chiefe officer or officers of any citie or towne corporate, to cause proclamation to be made of the severall rates so rated, in so many places within their authorities, as to them shall seme convenient, & as if the same had bene sent downe printed by the Lord Chawncello: or Keeper, after declaration thereof to his Shalve, and Certificat of the same into the Court of Chawncerie: and euery person and persons shal be bound to obserue the said rates in giuing and receiuing wages, vpon the paines and punishments mentioned in the said Act, and to be recovered or punishment inflicted, as in the said Act is menti. ned. No person or persons shall incurre any danger or penaltie, for not making certificat into the Chawnc

Chancerie, of any rates of wages appointed to be certified by the said Act made in the said Anno 5. Eliz. So as the same be proclaimed according to the true intent of this law. But the said rates ingrossed in parchment, and sealed as aforesaid, shall if the same be in any Shire, be kept by the Custos Rotulorum of the said Countie amongst the Records in his custodie for the said Shire: And in any citie or towne corporate, among the Records of the said citie or towne corporate. If any Clothier, or other shall refuse to obey the said order, rate, and assessment of wages, as aforesaid, and shall not pay so much or so great wages to their weavers, spinners, workmen or workwomen, as shall be so set downe, rated, and appointed, according to the true meaning of this Act, Then every Clothier & other person & persons so offending, shall forfeit for every such offence to the partie grieved r.s. And if the said offence and offences of not paying so much or so great wages to their said workmen, workwomen, and others, shall be confessed by the offender, or that the same shall be proved by two sufficient and lawfull witnesses, before the J. of P. in their quarter Sessions, the J. of Assise in their Sessions, or before any two Ju. of Peace whereof one to be of the Quorum, Then every such person shall stand and be in law convicted thereof, which said forfeiture of r.s. shall be levied by distress, and sale of the offenders goods, by warrant from the J. before whom any such conviction shall be had, which sale shall be good in law against any such offender and offenders. So clothier being a Just. of P. in any precinct, or libertie, shall be any rater of any wages for any weaver, tucker, spinner, or other artisan, that dependeth upon the making of cloth: And in case there be not above the number of two Justices of the P. within such precinct or libertie, but such as are clothiers: in such case the same wages shall be rated and assessed by the maior part of the Common Councell of such precinct or libertie, and such Justice or Justices of P. (if any there be) as are not clothiers. 19. El. 12. 1. Lac. 6. To continue untill the end of the next Parliament.

The rates of wages sealed, ingrossed and kept by the Custos Rotulorum.

A Clothier refusing to pay wages.

A Clothier a J. of peace.

67 If all the Justices of Peace resident within the Counties where they be Justices, and the Mayo, head Officers &c. doe not yearly assemble at the generall sessions holden after Easter, or within 6. weekes next after, and limit and rate the wages of servants and Labourers, or shall not consider whether the former Rates made be meet to be continued, or to be altered and reformed, or be negligent in the certificat thereof: Then every such Justice, Mayo, &c. in who: 1 any such default shall be found, being within the said countie, citie, towne, &c. at the time of the said sessions, or at the time of the said rates of wages to be set within six weekes next after the sessions, and not visited with any such sicknesse, as he could not travell thither without danger of his life, or not having any other good excuse to be allowed by the J. then assembled for the rating of wages, or by the moze part of them (upon a corporall oath, and Affidavit, to be openly taken before the Justices upon the holy Evangelists, by some credible person assessed in the Woke of Subsidie of that countie to v.l. at the least, or by such other person, as the most part of the Justices shall allow to take such oath) shall forfeit for everie such default and negligence unto the A. r. l. 5. Eliz. 4.

All the Just. shall assemble at the rating or altering of wages.

68 The Justices of peace of everie countie, dividing themselves into severall limits, and every Mayo and head Officer of any Citie, Towne corporate, &c. shall yearly betwene the feasts of S. Michael, and the Pativitie of our Lady, and betwene the feasts of the Annunciation of our Ladie, and of S. John Baptist, by all such waies and meanes, as to their wisdomes shall be thought meet, make a speciall and diligent inquirie of the branches and articles of the statute made 5. El. for Artificers, Labourers, Servants of Husbandrie, and apprentices, and of the good execution of the same, and where they shall find any faults, to see the same severely punished without favour, malice, or displeasure. And the said Justices, or two of them, whereof one to be of the Quorum, and the Presidents and Councell establi-

Inquirie of the execution of the stat. of Labourers.

Iustices of Peace.

shen in the Sharches of Wales, and the North, and the Shire and head Officers of every Citie, Towne corporate &c. have power to heare and determine all offences committed against the foresaid Statute against any branch thereof, as well upon indictment to be taken before them in the Sessions of the peace, as upon action of debt, or bill of complaint, to be sued by any person, and shall and may make processes against the defendant, and award execution, as in other cases they may, & shall certifie the estreats in Michaelmas Terme into the Exchequer, in like sort as they be bound to certifie the estreats for other offences. And every J. of P. Shire, Bailiff, and head Officer, shall have for every day that he shall sit in, and about the execution of this Statute allowed unto him v. s. of the fines and forfeitures of the penalties due to the S. by force of the said Statute in such manner, as the said J. have bin commonly paid for their coming & charges at the quarter Sessions, so that the sitting of the said Iustices, Shire, &c. be not at any time above thre daies, for the matters contained in this Statute. 1. El. 4. S. Labourers.

Every Just.
allowed v. s.
a day.

High-ways.

69 The Iustices of Peace of every place or Countie, in default of inquisition presentment thereof made within the precinct of any Ale, have authoritie to enquire of all the offences committed within the limits of their commission, contrarie to the Statute provided 2. & 3. P. & M. for the amending of high-ways, at their quarter Sessions, and to assesse such fines therof, as they, or two of them, whereof one to be of the Quorum, shall thinke meet: And the Clerke of the Peace shall make estreats indented, of the fines, forfeitures, and amerciaments, for the defaults presented before the said Iustices, and shall deliver the one part thereof sealed, and signed by him to the bailiff or high Constable of every Hundred, Rape, Lath, or Wapentake, wherein the default shall be presented, and the other parte to the Constables and Churchwardens of the parish wherein the defaults were made, to be yearly delivered within five weekes after the feast of S. Michael. 2. & 3. P. & M. 8. 5. El. 13. And the Supercuisor appointed for the amending of high-ways, within one moneth after any offence committed contrarie to the true meaning of either of the said Statutes, shall present every such offence to the next Justice of Peace for the time being, which Justice shall certifie the same presentment at the next generall Sessions within the said Countie, upon paine to forfeit for every offence not certified v. l. And the Iustices of Peace of every Countie where such offences shall be committed, have authoritie to enquire thereof, within the limits of their commissions, at every their quarter Sessions, and to assesse such fines for the same, as they, or two of them (whereof one to be of the Quorum) shall thinke meet. And every Justice of P. hath authoritie upon his owne proper knowledge, in the open generall Sessions, to make presentment of any high-way, not well and sufficiently repaired, or of any other default, or offence committed within the limits of his commission, contrarie to the provision or intent of either of the foresaid Statutes, and every such presentment shall be as good, and of the same force in the law, as if the same had bin presented, and adjuaged by the othes of twelve men: And for every default so presented, the Iustices of P. of the said countie, shall immediately at the said generall Sessions, assesse such fines, as to them, or two of them, whereof one to be of the Quorum, shall be thought meet. Saving to every person touched by such presentment, his lawfull traaverse to the same presentment, as they might have upon any indictment of trespassse, or forcible entrie by the lawes of this Realme. 7. El. 15. And all and every Iustices of Assise, Iustices of Oyer and determiner, and Iustices of P. in their Sessions, shall heare and determine every offence, matter & cause, that shall grow or arise by reason of the Statute provided 18. El. for the amending of high-ways. 18. El. 9. S. Highways.

Bridges.

70 The J. of peace of every Shire of this Realme, Franchise, citie, or borough, or four of them at the least, whereof one to be of the Quorum, have power to enquire

quire, heare and determine in the generall Sessions, of all manner of annoyances of bridges broken in the high-ways, and of all annoyances of high-ways, which by next adjoining to the ends of bridges, and being distant from the said ends 300. foot, to the damage of the R. people, and to make such proces and paines upon every presentment before them made, for the reformation of the same, against such as ought to be charged for the making or amending of such bridges or high-ways as the Kings Justices of his Bench use commonly to doe, or as it shall seeme by their discretions necessarie and convenient for the speedie amending of the same. 22.H. 8.5.S. Bridges.

71 The Justices of P. of every Shire, citie, borough, towne corporate, franchise, Liberty, or two of them at the least, whereof one to be of the Quorum, shall have authoritie within the limits of their iurisdiction, to discharge common selling of ale and bere, in common Ale-houses, and tiplinghouses in such Townes and places, where they shall thinke meet. 5.& 6.Ed.6.25.S.Ale-houses.

72 The Justices of peace within the Counties of Yorke, Lancaster, or any other the Counties on the North side of Trent, in their quarter Sessions, shall and may enquire, heare and determine every fault or offence, made or done, contrary to the Act made Anno 39.Eliz. against the deceitfull stretching and tainting of worsted cloth, or any thing therein contained (except the offences committed, and forfeitures made by the Just. of Peace) by presentment, bill, or information, and upon promise thereof made by the testimonie of two sufficient witnesses openly given to the Iurie, and thereupon presentment made by the Iurie, to give order for the execution of the said Stat. and everie clause therein contained, and for the recoverie of the penalties in the said Statute mentioned, to the uses in the same rehearsed. And the Justices of Assise, shall and may enquire, heare and determine, every fault or offence, made or done by any Justice of peace, contrary to the said Act, in neglect of their duty, in, or about, touching or concerning the execution of the said Act, and upon promise thereof made by two sufficient witnesses, and by the presentment of the Iurie, shall and may give order for recoverie and employment of the penalties and forfeitures by them committed and made, to the uses aforesaid 39.Eliz.20.S.Draperie &c.112.120.&c.

73 It shall and may be lawfull, to and for the Justices of Peace of any Countie or Citie in this Realme, or the dominions of Wales, assembled at any quarter Sessions of the peace within the same countie, citie, borough, or towne corporate, or the more part of them, to set downe order to erect, and to cause to be erected, one or more houses of correction within their severall counties or cities &c. 39.Eliz.4.S. Vagabonds 1.

74 Any two or more Just. of the peace within all the severall Shires, cities, boroughs, or townes corporate (whereof one to be of the Quor) shall have full power to heare and determine all causes that shall growe or come in question by reason of the Act provided for punishment of Rogues, Vagabonds, and sturdie beggers. 39.Eliz.4.S.Vagabonds 12.

75 The Justices of peace within any Countie of this Realme, or Wales, shall not intronit or enter into any Citie, Borough, or Towne corporate, where be any Justice or Justices of the peace for any such citie, borough, or towne corporate, for the execution of any branch, article, or sentence of the Act provided for punishment of Rogues, Vagabonds, and sturdie beggers, for or concerning any offence, matter or cause, growing or arising within the Precincts, Liberties, or iurisdiction of such citie, borough, or townes corporate. But it may and shall be lawfull to the Just. and Just. of the P. Mayors, Bailiffs, and other head Officers of those cities, boroughs, and townes corporate, where there be such Ju. of the P. to proceed to the execution of this Act, within the precinct and compasse of their liberties, in such manner

He. houses.

Stretching of cloth.

Ju. of Assise shall enquire, heare and determine the offences of the Just. of peace.

Houses of correction.

Vagabonds.

Vagabonds.

Iustices of Peace.

ner and forme as the Just. of Peace in any Countie may or ought to doe within the same countie, by vertue of this Act, any thing &c. 39. El. 4. S. Vagabonds &c. 8.

The poze.

76 Iustices of peace shall appoint Quersers of the poze in every parish, and take their accounts, and commit them to prison which refuse to pay their assessed contribution toward the reliefe of the poze, and those which refuse to account. And may assesse the inhabitants of one or more parishes to relieue the poze of another parish being thereunto vnable. And they shall rate every parish to a weekly summe to be sent to the reliefe of the prisoners in the B. Bench & Marshalse, & of such hospitals and almes houses as shall be in the said Countie. And they shall appoint Treasurers to collect and paie the same money. Paiozs, Bailifes, and other head Officers of corporate towne within their iurisdiction, shall haue the same authoritie: And euery Alderman of London within his ward, and no other J. of P. shall enter or meddle there. 43. El. 3. S. Poore 1. &c.

**Reliefe of
Souldiers &
Pariners.**

77 The Just. of P. of euery Countie within this Realme, within their severall limits at their quarter sessions, or the more part of them there assembled, shall haue authoritie yearely to elect, of themselves, or other sufficient men of the same countie Treasurers for the collection of the reliefe of Souldiers and Pariners, which Treasurers so in euery Countie to be chosen, shall continue, doe, performe, & giue by their charge, in such sort, manner, and forme, and for such time as is set forth by the act made 43. El. & vnder such & the like penalties. 43. El. 3. S. Capraines &c. 18.

Bruers.

78 The Just. of P. of euery Shire, where any Ale-buier, or Beere-buier doth dwell (out of a Citie, Borough, or towne corporate, or other place where no head Officer hath any rule) haue power to selle and tare by their discretions, the prices of euery barrell, kilderkin, or firkin, of Beere and Ale. And the Ale and Beere-buiers, shall not sell their Ale and Beere at any higher prices, than shall be to them by the said Iustices assigned. 23. H. 8. 4. S. Bruers 2.

Vessells.

79 The prices of all barrells, kilderkins, firkins, and other vessels to be sold for Ale, Beere, or Hope, to be vttered therein (where such vessels shall be made or sold out of any citie, borough, or towne corporate) shall be tared by the Just. of P. or the more part of them, being present in the quarter Sessions yeerely next after Easter, at such prices as they shall thinke reasonable. 8. El. 9. S. Coopers 1.

**Officers be-
faults.**

80 The Just. of All. J. of Gaole deliuerie, J. of Diet and Terminer, or J. of P. within any of the counties of Cumberland, Northumberland, Westmerland, and the Bishopricke of Durham, at any of their generall Sessions, shall haue authoritie to enquire, heare, and determine the offences and defaults of Sheriffs, Paiozs, Bailifes, Aldermen, and Clerks of the P. within the said counties committed contrary to the Stat. provided 43. Eliz. and to proceed against them by Information or Indictment, & to punish them by fine, imprisonment, or otherwise, as they shall thinke fit. 43. El. 13. S. Robberie 1. &c.

**Keepers of
ferries and
passages.**

81 The Iustices of peace within the Counties of Gloucester and Somerset, at their quarter Sessions, haue authoritie to call before them all such persons which doe keepe any ferrie or passage over the river of Seuerne into Wales, or the forest of Deane, or out of Wales, or the said Forest into England, and to bind them with sufficient sureties with them in recognisance, in such summes of money as it shall seeme to the discretion of the said J. that they and euery of them, being passengers, and keepers of ferries and passages, shall not after the sunne being set at the night, or before the sunne rising in the morning, convey, or carrie, or cause to be conveyed or carried, any manner of person or persons, or any kind of cattell, but such persons as they doe know and will answer for, and so know where their abidings, dwelling, and habitations be, and upon request made to them or any of them shall from time to time disclose, as well the same person or persons, as the goods and cattels so passing the said passages, upon freely said made upon any felonie, murder,

murder, or robbery, committed in the borders of the said counties of Gloucester and Somerset, or in any other place within England, or Southwales. 26.H.8.5. S.Boars &c. 12.

82 Justices of peace, or two of them at the least, of the shire where any town, village, or hamlet not corporate is, where any cloth shall be made or sold, have full power once every year, to call before them by their precept, or otherwise, y.iii.vj. viij. or more (as they shall thinke good by their discretion) of the most honest, discreet, and indifferent men of every such town, village, or hamlet, where any cloth shall be made or sold, and them shall appoint to be Overseers for one whole year then next following, within the town, village, or hamlet, where the same overseers shall be dwelling, charging them also upon their oaths, and as they doe tender the honour and common wealth of the Realme, that they doe endeavour themselves for that year, to see the Statute provided 3.Ed.6. for the true making of woollen cloth, to be observed within the limits of their charge. 3.Ed.6.2. S. Draperie 65.66.67.

Overseers of Cloth.

83 If any person (which shall retaine any of the clothes, herlies, frizes, rugs, or cottons, of the severall makings specified in the Statute provided 5. Ed. 6. for the true making of woollen cloth) doe present any cloth which is defective or faultie, unto two Ju. of P. next adjoining, out of a citie, borough, or town corporate, where such cloth shall be found faultie, the same J. shall cause the same cloth to be cut into three equal peces, whereof the J. shall have one, the presentor one other, and the third they shall retaine to themselves. 5. Ed. 6. 6. S. Draperie 19.

Faultie cloth

84 Every Justice of Peace of the Countie where any Soldier shall be found, which shall give, willfully purloine, exchange, or put away any Horse, Hare, Celving, or Harneis, wherewith he shall be set forth, shall commit the said Soldier to ward, untill he hath satisfied the partie grieved for such Horse, Harneis, &c. so lost, purloined, &c. except the same Soldier were imprisoned for the same offence before by the Lieutenant, Captaine, &c. or their deputies, and made restitution. 2.E. 6.2. S. Captaines 1.

Soldier.

85 The Justices of peace of every shire, have authoritie to enquire of the offenders of the Statute made 25.H.8. (limiting what number of Sheepe men shall keep, and have at one time) as well by the oaths of twelve men, as by information of the J. subjects, and to make such like proces upon every presentment or information concerning the said Act, as they use commonly to doe upon presentments before them of trespassse, and no person being convicted by confession, or otherwise, that he hath done or attempted, contrarie to the said Act, shall be put to any lesse fine, then after the rates of the forfeiture limited by the said Act. 25.H.8.13. S. Sheepe. 3. &c.

The number of Sheepe.

86 The Justices of Assises, and Justices of P. within the Countie where any default of a Coroner is (which upon request to him made, to come and inquire of any person slaine, drowned, or otherwise dead by misadventure, doth not his office therein diligently, or taketh any thing therefore) have power to enquire thereof, and to determine the same, as well by examination, as by presentment. 1.H.8.7. S. Coroners 15.

Coroners.

87 Justices of Peace have power to heare and determine, upon presentment made before them in their Sessions, all forfeitures committed by Escheators, in selling, or setting to farme their offices, or making any deputies, but such for whom they will answer, contrarie to the statute in that case provided: In which presentment like proces shall be had, as is used upon indictments of trespassse done with force and armes against the R. peace. 12.Ed.4.9. S. Escheators 12.

Escheators.

88 Justices of peace and other Justices have power to hold plea of any suit commenced by any person against the Sheriffe, or any of his ministres, which by force of the Treas. of the Exchequer, doe leuie the Kings debt of him, and doe not set the same which is paid, whereby the debt is another time demanded of the same person.

Sheriffes.

Iustices of Peace.

**Defaults of
Sheriffs.**

person. 42. Ed. 3. 9. S. E. treas. 1.

89 Where Iustices, or a Iustice of peace, upon complaint to him or them made of any forcible entrie into lands or tenements, or of detaining therof with force, do direct their precept to the Sherif to retorne sufficient and indifferent persons dwelling about the said lands, to enquire of such entries: If the said Sherif or bailife of franchise, having retorne of wits, be slacke and doe not duely execute the said precepts to them directed, then aswell the said Iustices, or Iustice, as the Ju. of Assise, and everis of them, at their comming into the countrey to take Assises, have power to heare and determine such defaults and negligences of the said Sherifs and Bailifs, as well by bill at the suit of the P. grieved for himselfe, as by indictment only for the King. And if the Sherif or Bailife be attainted by indictment, or bill, he which sueth for the King and himselfe, shall have the moiety of ry. l. (which the offender shall forfeit) together with his costs and expences, and the p.oces against the offender, shall be as in trespassse vi & armis. 8. H. 6. 9. S. Force 2.

**Extortion of
Sheriffs.**

90 Iustices of Assise in their Sessions, Iustices of the one Bench and of the other, and Iustices of P. in their Countrey, have power to enquire, heare, and determine, all the extortions, and other offences committed by Sherifes, Undersherifs, Coroners, Bailifes of franchises, and their ministers, contrarie to the statute for them provided. 13. H. 6. in any article or point of the same Stat. 23. H. 6. 10. S. Jurors 10. S. Sherifs. 5. 6. 7. 8. 9. 10. 11.

Usurie,

91 Iustices of Oyer and determiner, Iustices of Assise in their circuits, and J. of peace in their Sessions, have authoritie to enquire, heare, and determine of all and singular offences committed against the stat. provided 37. H. 8. against usurie 13. Eliz. 8. S. Usurie 1. & c.

**Weights and
measures.**

92 Two Iustices of peace (whereof one to be of the Quorum) have authoritie as well by examination, as by enquire to heare and determine the defaults of the head officers of Cities, Boroughs, and Market Townes, which do not cause twice in a yeare at the least, all weights and measures therein to be brought before them, and the defective to be broken and burnt: And also of all buyers and sellers, which doe not buy and sell with weights and measures which be lawfull, and to set fines and amerciaments vpon the offenders, according to their discretions. 11. H. 7. 4. And also Iustices of peace have power to enquire of falsifiers and counterfeiters of false weights, and to imprison, and in prison to hold them, untill they be attainted or acquitted, and if they be attainted, they shall remaine in prison untill they have made fine by the Just. discretion. And they shall enquire of, heare and determine the same, so often as they shall thinke needful. 9. H. 5. 8. S. Weights 9. 10. 13.

**The egges of
wildfoule.**

93 All Iustices of peace within the limits of their commission, have authoritie to enquire, heare and determine the offences of all those, which shall willingly purchase, destroy, or convey away the egges of any kind of wildfoule, from the nest or place where they shall be laid by the same wildfoule, like as they commonly use to doe in cases of trespassse. 15. H. 8. 11. 3. Ed. 6. 7. S. Wildfoule.

Wines.]

94 Iustices of peace in everie Shire of this realme, within the limits of their commissions, aswell within franchises as without, have authoritie to examine, heare, enquire, and determine the defaults of such as shall attempt to sell any Wines in grosse, or by retails contrarie to the stat. made 28. H. 8. limiting the prices of Wines, and to punish the offenders by imprisonment, or otherwise by their discretions. 28. H. 8. 14. S. Wines 1. 2.

Wines.

95 The Just. of P. of everie Countie, Citie, and Towne Corporat, in their severall Sessions, have authoritie to enquire by the othes of ry. lawfull men, of all and everie offence and offences done contrarie to the stat. (made 7. E. 6. to avoid the great prices and excesse of Wines.) And everie enquire and presentment taken, and had, by the othes of ry. lawfull men, shall be of such force, as if the same were taken

ken or had in the B. Bench. And euerie of the paines, penalties, and forfeitures due by force of the said Act, for any offence committed contrarie to the forme thereof, as shalbe found by presentment, before the said Just. (no bill, plaint, action, or information thereof commenced in any of the B. Courts of Record) shall be equally diuided into two parts, wherof the one shalbe to the B. his heires, and successours, and the other to the people of the towne or place where such presentment shall be found. 7. Ed. 6. 5. S. Wines 6. &c.

96 All Ju. of P. in their Sessions, within the limits of their commissions, haue authoritie to enquire, as well by the othes of ry. men, as otherwise by information, and thereupon to heare and determine all and singular such offences as shalbe done in the land, or within any haven, or port, contrarie to the Stat. provided 5. El. touching certayne politike constitutions made for the maintenance of the peace: and if any person shall be presented before the said Justices within the limits of their authorities, or any information given to them, of any offender of the said Act, then they haue authoritie, upon such presentment or information, to make proses against the offenders, as is commonly used upon indictments of trespass. And if any be presented, and afterward committed by confession, or otherwise, then he shall suffer no lesse punishment, or forfeiture, then in the said Stat. is limited: for the leuying of the which for the said Justices within the limits of their commissions, haue authoritie to make such proses as they shall thinke good by their discretions. But no information at the suit of any person concerning the said Act, shall be of effect, to put any person to answer, or forfeiture, except the same be commenced within halfe a yere after the offence done: for any information or presentment for the B. shall be of effect &c. except the same be within one yere after the offence committed, contrarie to the said Act 5. El. 5. 1. Jac. 2. 5. To continue till the end of the first Session of the next Parliament now next ensuing. S. Ships 1. 2. 3. 4. 5. Q. for the forces of this B. launch.

97 The Just. of peace within any Countie of this Realme, and euerie of them haue power to enquire, heare, and determine the defaults and offences committed (contrarie to the Statute provided 17. Ed. 4. for the true making of Tyle.) And if it be found, or may appeare to the said Justices, or any of them, by examination, or otherwise, that any person hath offended contrarie to the said Act, then the same Justices shall assesse upon the offender no lesse fine, then in the said Statute is limited. And the same Just. haue power to assigne expert persons in the occupation of Tyle making, to search and examine the making thereof. And euerie presentment made by the said searchers, of any defaults before the said J. at their next Sessions, shall be as effectuell in the law, as the presentment of ry. men. And the Just. haue power to examine, enquire, and determine the defaults of Searchers, in like maner as they haue of Tylemakers. 17. Ed. 4. 4. S. Tyles.

98 Justices of peace in their open Sessions haue authoritie, upon information to heare and determine the offences of Tylowymers, or Tylow buyers, inhabiting within the Parish of Halifar, which shall sell their wools at any other place, south of the towne of Halifar. And also of all such as shall buy their Tylowls at Halifar, and sell them againe wrought in yarne or cloth, and to make proses against the offenders, as in other cases to be determined before them. 2. & 3. Ph. & Mar. 13. S. Woolls 5.

99 Justices of Wyer and Determiner, within the limits of their commission, J. of Assises in their circuits. J. of peace, as well within liberties as without, within the limits of their commission, shall haue full power and authoritie to enquire, heare, and determine all and euerie offences committed, or to be committed within their severall limits, circuit, or precinct of their commission or commissions (contrary to the

Maintenance of the Peace.

Calamity.

Regrating of Woolls.

Additions of Jurors and their Issues.

Justices of Peace.

the statute made 27.El. for the leuying of issues lost by Jurors) and to award forth
proces of execution for the leuying of the said forfeitures. 27.Eliz. 7. 39.Eliz. 18.S.
Jurors 33. 34.

Swearing of 100 The Justices of Assise, and Justices of Peace, in their open Sessions, shall
undersherifes. have full power, within the limits of their authoritie, to heare and determine the
defaults done (contrarie to the Statute provided 27.Eliz. for the swearing of Un-
dersherifes, and other Officers) as well by presentment and information, as by in-
dictment: And upon conviction of the offenders to award execution for the leuying of
the forfeitures, by Fieri facias or by Attachment, Capias, or Exigent. 27.Eliz. 12.
S. Sherife 32. 33. 34.

Cottages, 101 All Justices of Assises, and Justices of peace in their open Sessions, and
Inmates. every Lord within the precinct of his Lord, and none others, shall have authoritie
within their severall limits and Jurisdiccions, to enquire of, heare, and determine
all offences committed (contrarie to the act made Anno 31. Elizabethæ) against e-
recting and maintaining of Cottages, and Inmates, as well by Indictment, as o-
therwise by presentment or information, and to award execution for the leuying of
the severall forfeitures in the said Statute limited, by Fieri facias, Elegit, Capias, or
otherwise, as the cause shall require. 31.El. 7.S. Cottages 1. Leets 19.

Bastards. 102 Two Justices of Peace, whereof one to be of the Quorum, in or nere unto
the limits where the Parish Church is, within which Parish any Bastard begot-
ten and borne out of lawfull Matrimony shall be borne (upon examination of the
cause and circumstance) shall and may, by their discretions, take order, as well for
the punishment of the mother, and reputed father of such bastard child, and also for
the better reliefe of overie such Parish, in part, or in all. And shall and may like-
wise, by like discretion, take order for the keeping of every such bastard child, by
charging such mother or reputed father with the payment of money weekly, or other
sustentation, for the reliefe of such child, in such wise as they shall thinke conveni-
ent. 18.El. 3.S. Bastardie 1. 1. Jac. 2. 5. To continue untill the end of the first session of
the next Parliament.

Certificat of 103 If any person to whom any Agnus Dei, Crosses, Pictures, or Beads shall
Agnus Dei, be offered, do bring the party that made him that offer, to a Justice of Peace of that
Crosses &c. shire, or within thre dayes after such offer made, do disclose to him the name of the
partie, his dwelling, or place of resort, And if the same Justices doe not within viij.
dayes, next after any such matter shalbe shewed unto him, declare the same to one of
the Magistrate Councell: When the Justices shall incurre the danger, paine, & loss
of Praemunire, provided 16.Rich. 2. 13.Eliz. 2.S. Rome 5. 6.

Tithes. 104 Two Justices of Peace, whereof one to be of the Quorum, upon informa-
tion, certificat, or complaint, to them made in writing, by any Ecclesiasticall Judge,
that gave sentence against any person, which obstinately and wilfully refused to pay
his tithes, or such summe of money, wherein he was condemned for the same, have
authoritie to cause the same partie to be attached, and committed to the next gaole,
untill he have found sufficient surety to be bound to the King, to performe the same
sentence. 32.H. 8. 7. And the like authoritie have any of the Magistrate Councell, or two J.
of peace, whereof one to be of the Quorum &c. upon the Ecclesiasticall Judges re-
quest, for any contempt, contumacie, or other misdemeanour of the partie defendant
in any suit for subtraction of tithes, offerings, or other duties of the Church untill
he have found surety, vt supra &c. 27.H. 8. 10.S. Tithes 22.

Certificat of 105 Every Justice of Peace, within the Realme, that shall take any recog-
Recognisance nissance for the keeping of the peace, shall certifie, send, or bring the same recogni-
sance at the next Sessions of peace, where he is, or hath bene Justice, that the par-
tie so bound may be called. And if the partie makes default, the same default then
there

there to be recorded. And the same recognisance, with the record of that default, shall be sent, and certified into the Chancery, the Kings Bench, or into the Exchequer. 3. H. 7. 1.

106 No Justice or Justices of Peace shall let to baile or mainprize any such person or persons, which for any offence by any of them committed, be declared, not to be replevied, or bailed, or be forbidden to be replevied or bailed by the statute made 3. E. 1. Nor any person arrested for manslaughter, or felony, or suspicion of manslaughter or felony, being baileable by the law, shall be let to baile or mainprize by any Justice of peace, if it be not in open Sessions, except it be by two Justices of peace at the least, whereof one to be of the Quorum, And the same Justices to be present together at the time of the said bailment or mainprize: which bailment or mainprize they shall certify in writing, subscribed or signed with their own hands at the next generall gaole delivrie, to be holden within the Countie where the persons shall be arrested or suspected. And the said Justices, or one of them, being of the Quorum, where any such prisoner is brought before them, for manslaughter or felony, before any bailment or mainprize, shall take the examination of the prisoner, and information of them that bring him, of the fact, and circumstances thereof: And the same, or as much thereof as shall be materiall to prove the felony, shall put in writing, before they make the bailment: which examination, together with the bailment the said Justices shall certify at the next generall gaole Delivrie to be holden within the limits of their commission. And also the said Justices have authoritie to bind all such by Recognisance, or obligation, as do declare any thing materiall, to prove the said manslaughter or felony, to appeare at the next generall Gaole Delivrie to be holden within the Countie, Citie, or Town corporat, where the trial thereof shall be, then and there to give evidence against the partie so indicted, at the time of his trial, and shall certify everie such bond taken before them at the next generall gaole Delivrie. And if any Justice of peace, or Quorum, shall offend in any thing contrarie to the true intent and meaning of this Act, the Justices of Gaole Delivrie of the Shire, Citie, Towne, &c. where such offence shall be committed, upon due proof thereof, by examination before him, shall for every offence set such fine upon everie of the same Justices of Peace, as the same Justices of Gaole Delivrie shall thinke meet. But the Justices of peace, and Coroners in London and Middlesex, and other Cities, Boroughs, and Townes Corporat in England and Wales, have authoritie to let to baile felons and prisoners, as they have bene heretofore accustomed: But they shall take examinations and bonds, as is aforesaid, upon everie bailment by any of them made, and shall certify them at the next gaole delivrie to be holden within the Shire, Citie, Borough, &c. under the foresaid paine &c. 1. & 2. P. & M. 13. S. Mainprize.

Bailment of offenders.

107 In like sort everie Justice or Justices of peace, before whom any person shall be brought for manslaughter, or felony, or for suspicion thereof, before he or they shall commit such prisoner to ward, shall take the examination of such prisoner, and information of such as bring him, of the fact, and circumstances thereof, & the same, or as much thereof as shall be materiall to prove the felony, shall put in writing within two daies after the said examination, and the same shall certify in such manner and forme, and at such time as they should and ought to do, if the prisoner had bin bailed, or let to mainprize, upon such paine, as in the former statute is expressed, for not taking, or not certifying examinations. And the said Justices have authoritie to bind all such by Obligation or Recognisance, as do declare any thing materiall to prove the manslaughter or felony, to appeare at the next generall gaole delivrie &c. to give evidence &c. and shall certify the said bonds at the next generall gaole delivrie. Vt supra. 2. & 3. P. & M. 10.

Imprisonment of offenders.

108 The J. of peace within the Shires next adjoining to the river of Thames watermen,

Do

betwixt

Iustices of Peace.

betwixt Grauesend and Windsor, within their severall inclosures, have authoritie upon complaint made unto them, or any of them, by the eight Quersers of Watermen, or two of them, or by the master of any servant, being a Waterman, to examine, heare, and determine all complaints and offences, committed by any such person that shall offend, contrary to the true meaning of the Stat. provided 2. & 3. P. & M. for Watermen upon the river of Thames, and to set at libertie every person imprisoned by the said Quersers, if iust cause shall appeare unto them so to do: And to correct the said Quersers, that shall without good cause punish any person, by colour of the said Act. 2. & 3. P. & M. 16. S. Boats 2.

One commis-
sion of the
pe. ce shall not
be a Superfe-
deas to ano-
ther.

109 All & singular commissions granted, or to be granted to any citie, or towne, or port, not being a countie in it selfe, for the keeping of their peace, and delivry of the prisoners remaining in the gaole of any such citie or towne or port, shall remain and be good in the law, to all intents, the granting of any like commission of peace or gaole delivrie, to any Commissioner or Commissioners, for the conservation of the peace, or delivry of the prisoners, remaining in the gaole of any Shire, Lath, Rape, Riding, or wapentake, within this Realme of England, bearing date after the said commission or commissions granted to any such Citie or Towne or port, not being a Countie in it selfe, to the contrarie notwithstanding. 2. & 3. P. & M. 18. S. Discontinuance of proces 6.

Statute de-
clared at
Sessions.

110 The Act made against unlawfull and rebellious assemblies, or the effect thereof, shall be read or declared at every Quarter Sessions (1. M. 12.) And so shall the Stat. made 5. El. 1. for assurance of the M. power over all estates. And so shall the statute made 33. H. 8. for the maintenance of artillerie, and debarring unlawfull games.

Shirife not
Iustice.

1 No Shirife shall be Iustice of peace in the Countie where and when he is Shirife. S. Shirife 21.

Indictments
in Turnes.

2 Shirifes shall delivier all Indictments and Presentments, taken before them at their Turnes, to the Iust of peace, and the Iust. shall make proces against, arraigne, and delivier the offenders. S. Shirifes 12. 13. 14. 15.

Examination
of Shirifes, &c.

3 Two Iust. of peace may examine Shirifes, Vnder-shirifes, Shire Clerkes, and Bailifes of Hundreds, of entring of Plaints before them, and execution of proces, who shall appoint those Iust. and how they shall reforme offences. S. Shirifes 16. 20.

Estreats.

4 The Shirifes shall make no Estreats to leuie amerciements, vntil two Iustices have had the ouersight thereof. S. Shirifes 18.

Shirifes.
Bailifes.

5 Iustices may Swear the Shirifes Bailifes to gather but their duety, and after examine them thereof. S. Shirifes 19.

Precept into
another countie

6 Where I. of peace may direct their precept, to be executed out of the limits of their Commission. See Prison 2. Indictments 2. 3. Labourers 28. Bridges 5.

Offenders.
Gunners.

7 To what prison I. of peace shall commit offenders. S. Prison 1.

8 A Iust. of peace shall receive the names of those which shoot in gunnes, and cause them to be recorded. S. Gunnes 11.

9 The authoritie of Iust. of peace for the taxing of others for the reliefe of such as be infected with the plague. S. Plague 1. 2.

Panelis.
Concealmētis

10 Iust. of peace may reforme panels returned before them. S. Iurors 8.

11 Iustices of peace may take enquests to inquire of concealments of other enquests. S. Iurors 9.

Mariners.
Physicians.

12 For Iust. authoritie in taking Mariners to serue on the sea. S. Mariners 3.

13 Iust. within London, and seven miles compasse, shall assist the Colledge of Physicians, &c. S. Physicians 10.

Making Ius-
tice 3.
Riots.

14 None have authoritie to make I. of peace, but the king. S. Prerogative 17.

15 I. of peace shall arrest those which commit riots, enquire of Riots, & certifye the same. S. Riots 1. 2. 3. 5.

- 16 Commissions shalbe awarded, to inquire of the default of I. of peace touching inquiry of Riots. S. Riots 6. Inquire of Riots.
- 17 What the Iust. shall forfeit, which do not certifie the names of the maintainers, or imbracers, with their misdemeanors, by whose meanes any Riot is not found by the Iury. S. Riots 15. Maintainers.
- 18 For the duetie of I. of peace, concerning the execution of the statute, made against vnlawfull and rebellious assemblies. S. Riots 16. &c. Rebellions.
- 19 For the duetie of I. of peace, concerning the examination and punishment of any, which shall disturbe any Preacher in his Sermon &c. S. Preachers 1. 2. 3. Preachers.
- 20 Iustices of peace shall receiue Dockets of the high Constables &c. And deliuer them ouer to the Lord Steward. S. Purueyors 28. Dockets.
- 21 Where I. of peace shall execute the commission of Sewers. S. Sewers 16. Sewers.
- 22 Iustices of peace shall limite Victualers gaine, and punish them which take excessive. S. Victualers 3. Victualers.
- 23 Iustices of P. may enter into a Merchants house which denieth to sell wine at the price assessed &c. S. Wines 4. Wintners.
- 24 None shal sel Wines in Townes not corporat, but by the assignment of the Iust. of peace. S. Wines 9. Wines.
- 25 Where Iustices shal diuide a wood, if the owner and commoners therupon cannot agree. S. Woods 8. 9. Woods.
- 26 For the authoritie of Iustices in punishing those which go or ride armed. S. Armor 10. Armor.
- 27 The forfeiture of a Iust. of peace, which hauing notice of a Iesuite or Priest doth not thereof aduertise some of the priue Councell &c. S. Iesuits 10. Iesuits.
- 28 There shalbe I. of P. in Wales, their authoritie, duetie, &c. S. Wales 30. 31. Wales.
- 29 I. of P. shall inquire of the default of Watchers on the sea coast. 5. H. 4. 3. Watchers.
- 30 For the authoritie of Iust. of peace touching the execution of the statute of Huy and Cry. S. Huy and Cry 4. 10. Huy & Cry.

Labourers, Artificers, Seruants, Apprentices.

No person shall retaine, hire, or take into seruice, or cause to be retained, hired, or taken into seruice, nor any person shall bee retained, &c. to worke for any lesse time then for one whole yere, in any of the Sciences or Arts of Clothiers, Wollen Cloth Weaues, Tuckers, Fullers, Clothworkers, Shermen, Diers, Hosiery, Tailors, Shomakers, Tanners, Hewers, Bakers, Brewers, Glovers, Cutlers, Smithes, Ferroys, Curriers, Sadlers, Spurriers, Turners, Capers, Hatmakers or Feltmakers, Bowyers, Fletchers, Arrow head makers, Butchers, Cookes, or Pillers. 5. El. 4. None of these seruants shall be retained vnder a yere.

2 Cuerie person vnmarried, and cuerie other person, vnder the age of xxx. yeres married, hauing bene brought vp in any of the said Artes, or Sciences, or that hath vsed or exercised any of them by the space of thre yeres, or moze (and not hauing lands, tenements, rents or hereditaments, copihold, or freehold, of one estate or inheritance, or for terme of any life, or lines, of the cleere yereley value of xl. s. nor being worth of his owne goods the cleere value of x. l. and so allowed by two Iust. of the peace of the Countie where he hath most commonly inhabited by the space of one whole yere, and vnder their hands and seales, or by the Maio, or other head Officer of the Citie, Borough, or Towne corporat, where such person hath most commonly dwelled by the space of one whole yere, and two Aldermen, or two other discret Burgeses of the same Citie &c. if there be no Aldermen, vnder their hands and seales, nor being retained with any person in husbandrie, or in any of the foresaid Artes, according to this Statute, nor lawfully retained in none other Persons compellable to serue in handicrafts.

Do by

Art,

Labourers, &c.

Art. 02 Science, no2 being lawfully retained in household, 02 in any office with any Nobleman, Gentleman, 02 others, according to the Lawes of this Realme, no2 hauing a conuenient ffarme 02 other holding in tillage, wherupon he may imploy his labour) shall during the time that he 02 they shal be so vnnarried, 02 vnder the said age of xxx. yeares, vpon request made by any person vsing the Art 02 Science wherein the said person so required hath bene exercised, as is aforesaid, be retained, and shall not refuse to serue, according to the tenor of this Stat. vpon the paine and penaltie hereafter mentioned. 5. Eliz. 4.

**Wherof com-
pellable to
serue in hus-
bandry.**

3 Every person betwene the age of xij. yerres, and the age of lx. yerres (not being lawfully retained, no2 apprentice with any Fisher, 02 Mariner, haunting the Seas, no2 being in seruice with any Rider 02 Carrier of any Coine, 02 meale, for provision of the Citie of London, no2 with any Husbandman in Husbandrie, no2 in any Citie, Towne, 02 port, 02 Market Town, in any of the Arts 02 Sciences appointed by this Statute to haue 02 take apprentices, no2 being retained by the yeare, 02 halfe the yeare at the least, for the digging, sacking, finding, getting, melting, fining, working, trying, 02 making of any siluer, tin, lead, yron, copper, stone, seacole, stonewall, 02 chert, 02 being occupied in 02 about the making of any glasse, no2 being a gentl^e bozne, no2 being a student, 02 scholar in any of the Universities, 02 in any Schole, no2 hauing lands, tenements, rents, 02 hereditaments for terme of life, 02 of one estate of inheritance of the cleere yearly value of xl.s. no2 being worth in goods and cattels to the value of x.l. no2 hauing a father 02 mother then liuing, 02 other ancesto2, whose heire apparant he is, then hauing lands, tenements, 02 hereditaments, of the yerely value of x.l. 02 above, 02 goods 02 cattels of the value of xl.l. no2 being a conuenient 02 necessary officer, 02 seruant lawfully retained, as is aforesaid, no2 hauing a conuenient farme, 02 holding, wherupon he may 02 shall imploy his labour, no2 being otherwise lawfully retained, according to the true meaning of this Stat.) shall be compelled to be retained to serue in husbandrie, by the yeare, with any person that keepeth husbandrie, and will require any such person to serue, within the same shire where he shal be so required. 5. Eliz. 4.

**Retaining 02
giving wa-
ges contrary
to the Statute.**

4 If any person do by any secret meanes, directly 02 indirectly retaine, 02 keepe any seruant, workman, 02 labourer, 02 doth giue any moze 02 greater wages, 02 other commoditie, contrarie to the true meaning of this Statute, 02 contrarie to the rates 02 wages assessed 02 appointed in the Proclamations made for that purpose, in the County, city, 02 borough where he doth inhabite, then he that shall so offend, & be thereof lawfully conuicted before any J. of Peace of the County, 02 the Shire, 02 other head officer of the city, borough, 02 towne 02 port, and two Aldermen, 02 two discret burgeses, if there be no Aldermen, 02 before the L. President & Council in the marches of Wales, 02 the L. President & Council in the North parts, shall suffer imprisonment by the space of ten daies, without baile 02 mainprise, and for x. l. And euery person that shall be so retained and take wages contrarie to this Stat. 02 any branch thereof, 02 of the said Proclamation, & shall be thereof conuicted before the J. aforesaid, 02 any two of them, 02 before the Shire, 02 head Officers aforesaid, shall suffer imprisonment by the space of xij. daies without baile 02 mainprise. And euery retainer, promise, gift, 02 payment of wages, 02 other thing whatsoever, contrarie to the true meaning of this Statute, and euery writing and bond made for that purpose, shall be utterly void. 5. Eliz. 4. How the wages shall be rated, S. Iustices of Peace 66.

**Taking of
wages con-
trary to the
Statute.**

**Putting a-
way a seruant
within the
terme.**

5 If any person after he hath retained any seruant, shall put away the same seruant before the end of his terme, vnlesse it be for some reasonable & sufficient cause to be allowed before two J. of Peace, 02 one at the least within the said County, 02 before the Shire, 02 other chiefe Officer of the city, borough, 02 towne 02 port, wherein

wherein the said Master, Mistres, or Dame inhabiteth, or if any such Master, Mistres, or Dame, shall put away any such servant at the end of his terme, without one quarters warning given before the said end: then every such Master, &c. so offending, shall forfeit. s. v. unless he be able to prove by two sufficient witnesses, some reasonable & sufficient cause of putting away of his servant during the terme, or a quarters warning given before the end thereof, before the Justices of the Peace, or the Justices of Assize, Justices of the Peace in the Quarter Sessions, or before the Mayor or head officer of any city, borough, or town corporate, & two Aldermen, or two other discreet Burghesses of the same city &c. if there be no Aldermen, or before the Lord President and Council in the Marches of Wales, or in the North.

5. Eliz. 4. 6 If any servant retained according to this statute, shall depart from his Master, Mistres, or Dames service before the end of his terme, unless it be for some reasonable & sufficient cause, to be allowed as is aforesaid: or if any servant at the end of his terme depart from his Masters &c. service, without one quarters warning given before the end of his terme, & before two lawfull witnesses: or if any person compellable and bound to be retained and to serve in husbandry, or in any other sciences above remembred by the year, or otherwise: do upon request made, refuse to serve for the wages rated and appointed by the Queens Proclamation in that County, City, Borough, where &c. according to the forme of this statute, or promise or covenant to serve, and doe not serve according to the tenor of the same, then every servant so departing away, and every person so refusing to serve for such wages, upon complaint thereof made by the Master &c. of the said servant, or by the partie, to or with whom the said refusal is made, or promise not kept, to two Justices of Peace of the Countie, or to the Mayor or other head officer of the City, Borough, &c. and two Aldermen, or two other discreet Burghesses of the same City, &c. if there be no Aldermen where the said Master &c. or the said partie, to or with whom the said refusal is made, or promise not kept, dwelleth, or to either of the said Lord Presidents and Council of Wales, and the North, the said Justices, Presidents, and Council, and the said Mayors, head officers, and other persons of Cities, Boroughs, &c. or any of them, have power to heare & examine the matter, and finding the said servant, or the said partie so refusing, faultie in the premises, upon such proofes and good matter, as to their discretions shall be thought sufficient, to commit him to ward, there to remaine without baile or maineprie, untill he shall be bound to the partie to whom the offence shall be made, to serve and continue with him, for the wages limited according to the tenor of this statute, and then to be discharged upon his deliverie, without paying any fee to the Gaoler where he shall be so imprisoned. 5. Eliz. 4.

7 None of the said retained persons in husbandry, or in any the arts or sciences above remembred, after the time of his retainer expired, shall depart forth of one city, towne, or parish to another, nor out of the Lath, Rape, wapentake, or Hundred, nor out of the Countie or Shire where he last served, to serve in any other City, towne corporate, Lath, Rape, wapentake, Hundred, Shire, or County, unless he have a Testimoniall under the Seale of the said City or Towne corporate, or of the Constable, or other head Officer, and of two other honest householders of the City, Towne, or Parish where he last served, declaring his lawfull departure, and the name of the Shire & place where he dwelled last before his departure, according to the forme hereafter expressed: which certificat or testimoniall shall be written & delivered unto the said servant, & also registered by the Parson, Vicar, or Curate of the parish where such Master, Mistres, or Dame doth dwell, taking for the doing thereof. s. v. and not above. Memorandum, that A. B. late servant to C. D. of C. husbandman, or Tailor &c. in the said Countie, is licenced to depart from his said Master, Mistres, or Dame, and to serve in any other City, towne, or parish, as he shall think good.

Putting away the servant without a quarters warning.

The servant departing within his terme, without warning, or refusing to serve.

Servants shall not depart into other townes without Testimoniall.

The forme of the Testimoniall.

Labourers, &c.

After, & is at his libertie to serue elsewhere, according to the statute in that case made & provided. In witnesse whereof &c. Dated the day, moneth, yere, & place &c. of the making thereof. 5. El. 4.

No servant
shalbe retain-
ed without
shewing his
Testimoniaill.

8 No person that shal depart out of service, shalbe retained or accepted into any other service, without shewing before his retainor, such Testimoniaill as is before remembred, to the chiefe Officer of the Towne corporat, and in every other towne and place to the Constable, Curate, Church-warden, or head Officer of the same where he shalbe retained to serue, upon the paine that every such servant so departing without such Certificat or Testimoniaill, shal be imprisoned untill he procure a testimoniall or certificat, the which if he cannot doe within the space of xij. daies next after the first day of his imprisonment, then the said person shal be whipped, & used as a Vagabond, according to the Lawes in that case provided. And every person retaining any such servant, without shewing such Testimoniaill, or Certificat, shal forfeit for every such offence v. l. And if any such person shalbe take with any counterfeit or forged Testimoniaill, then he shal be whipped as a Vagabond.

Counterfeit
Testimoniaill.

5. El. 4.

How long
workmen shal
continue at
their labour.

9 All Artificers and Labourers, being hired for wages by the day or weeke, shal betwixt the middell of the moneths of March and September, be, and continue at their worke, at or before five of the clocke in the morning, and continue at worke, and not depart untill betwixt vij. and viij. of the clocke at night, except it be in time of breakfast, dinner, or drinke, the which times at the most shal not exceede about two houres and a halfe in the day, that is to say, at every drinke one halfe houre, for his dinner one houre, and for his sleepe, when he is allowed to sleepe (the which is from the middell of May to the middell of August) halfe an houre at the most, and at every breakfast one halfe houre. And all the said Artificers and labourers, betwene the middell of September, and the middell of March, shal be and continue at their worke, from the spring of the day in the morning untill night, except it be in time afore appointed for breakfast and dinner, upon paine to forfeit one peny for every houres absence, to be defaulted out of his wages that shal so offend.

5. El. 4.

None shal de-
part from his
worke before
it be finished.

10 Every Artificer and Labourer that shal be lawfully retained, in, or for the building, or repairing of any Church, house, shippe, mill, or every other peece of worke taken in great, in task, or in grosse, or that shal take upon him to make or finish any such thing, or worke, shal continue & not depart from the same (unless it be for not paying, of his wages, or hire agreed on, or otherwise lawfully taken or appointed to serue the Quene &c. or for other lawfull cause, or without licence of the Master or owner of the worke, or of him that hath the charge thereof) before the finishing of the same worke, upon paine of imprisonment by one month without baile or mainprize, and the forfeit of v. l. to the partie from whom he shal so depart, for the which the said partie may have his action of debt against him that shal so depart in any the D. Courts of record, besides such ordinary costs & damages, as may or ought to be recovered by the common Lawes, for any such offence, wherein no W. ec. C. p. ec. And no other artificer or labourer, retained in any service to worke with the Quene, or any other person, shal depart from her Maiessty, or from the said person, untill the worke be finished, if the person so retaining the artificer or labourer, so long will have him, and pay him his wages, or other duties, upon paine of imprisonment of every person so departing by the space of one Moneth.

5. Eliz. 4.

Going into
other shires
for harvest
worke.

11 But all persons of the Countie where they have accustomed to goe into other shires, for harvest worke, and having at that time no harvest worke sufficient in the same Towne or Countie, where he or they dwell in the Winter then last past, bringing with him or them a Testimoniaill, under the hand and seale of one

one Justice of the Peace of the Shire, or other head officer of the Towne or place where he or they come from, testifying the same, for the which he shall not pay above s.d. (other then such persons as shalbe retained in service, according to the forme of this Statute) may resort in harvest of Hay or Cozne, from their Countreies wherein their dwelling places are, into any other place or Countreie, for the onely mowing, reaping, and getting of hay, cozne, and graine, & for the onely working of harvest woorkes, as they might have done before the making of this statute. 5. Eliz. 4.

13 If any servant, workman, or labourer, shall wilfully or maliciously make any assault or affray upon his Master, Mistresse, or Dame, or upon any other, that shall at that time have the charge or oversight of him, or of the worke wherein he is appointed, or hired to worke, and being thereof convicted before any two of the Justices, Shalr, or head Officer aforesaid, where the said offence is committed, or before either of the said Lords Presidents and Councell, before remembred, by confession of the said servant, workman, or labourer, or by the witnessse and other of two honest men: Then every such offender shall suffer imprisonment by the space of one whole year, or lesse, by the discretion of two Justices of Peace, if it be without a Towne corporat, and if it be within a Towne corporat, then by the discretion of the Shalr or head Officer of the same Towne corporat, with two others of the discreetest persons of the same corporation at the least. And if the offence shall require further punishment, then to receive such other open punishment (so as it extend not to life, nor lim) as the Justices of Peace in open Sessions, or as the more part of them, or the said Shalr, or head Officers, and six or six. at the least of the discreetest persons of the same corporation, before whom the offence shall be examined, shall thinke convenient for the qualitie of the said offence so committed. 5. Eliz. 4.

A servant or workman assaulting his Master.

13 In the time of Hay or Cozne harvest, the Justices of peace, & every of them, and also the Constable, or other head Officer of every Towneship, upon request, and for the avoiding of the losse of any cozne, or hay, shal & may cause all such artificers & persons, as be meet to labour, by his discretion of any of the said Justices, Constables, or other head officers, to serve by the day for his mowing, reaping, shearing, getting, or inning of cozne & hay, according to the skill & quality of the person. And none of the said persons shall refuse so to doe, upon paine to suffer imprisonment in the stocks by the space of y. daies & one night. And the Constable of the Towne, or other head officer of the same, where the said refusal shalbe made, upon complaint to him made, shall have authoritie to set the said offender in the stocks for the time aforesaid, & shal punish him accordingly, upon pain to lose & forfeit. for not doing thereof, the summe of xl.s. 5. Eliz. 4.

Artificers are compellable to worke in harvest.

14 Two Justices of the Shalr, or other head officers of any city, borough, or towne corporat, & two Aldermen, or two other discreetest Burgesses of the same citie &c. if there be no Aldermen, shall and may appoint any such woman as is of the age of xij. yerres, & under the age of xl. yerres, and unmarried, & forth of service, as they shall thinke meet to serve, to be retained, or serve by the year, by the week, or day, for such wages, & in such reasonable sort, as they shall thinke meet. And if any such woman do refuse so to serve, then it shal be lawfull for the said Justices, Shalr, or head Officer to commit her to ward, untill she shalbe bounden to serve as is aforesaid. 5. Eliz. 4.

Women compellable to serve.

15 Every person being an householder, & having & using halfe a plough land at the least in tillage, may have & receive to an apprentice any person above the age of x. yerres, & under the age of xviij. yerres, to serve in husbandry, untill his age of xxj. yerres at the least, or untill the age of xxiiij. yerres, as the parties can agree, & the said retainer & taking of an apprentice, shalbe done by an indenture. 5. El. 4. S. 12. R. 2. 5.

A husbandman may take an apprentice.

Labourers, &c.

If a child use husbandry untill the age of xij. yerres, & be made apprentice after to any mystery, his covenant shalbe void. But whether this be in force, or repealed by the generall wordes of 5.El.4. *Quare.*

Quare.

Apprentices in Townes corporat.

16 Every person being an housholder, & xxiij. yerres old at the least, dwelling in any city or town corporat, & using any art, mystery, or manual occupati^on there, shall & may, during the time that he shall there dwell & use any such art &c. haue and retaine the sonne of any freeman, not occupping husbandry, nor being a labourer, & inhabiting in the same, or in any other city or town corporat, to serue & be bound as an apprentice after the custome & order of the city of London, for vij. yerres at y^e least, so as the terme of such apprentices do not determine before he shalbe of the age of 24. yerres at the least. 5.El.4.

These must take p^retices whole par^ts may dispend some lands.

17 It is not lawfull for any person dwelling in any City or towne corporat, using any of the mysteries or crafts of a merchant traffiquing by trade into any the parts beyond the sea, Mercer, Draper, Goldsmith, Ironmonger, Imbroiderer, or Clothier, that doth put Cloth to making and sale, to take an apprentice or seruant, to be instructed in any of the Arts, Occupations, Crafts, or Mysteries, which any of them do use, except such seruant or apprentice be his sonne, or else that the father or mother of such apprentice or seruant, shall haue at the time of the taking of him, lands, tenements, or other hereditaments of the cleere yearly value of xl.s. of one estate of inheritance or freehold at the least, to be certified vnder the hands & seales of iij. Iustices of the peace of the shire or shires where the said lands, tenements, or other hereditaments do lie, to the mai^r, bailife, or head officer of such city or town corporat, & to be inrolled among the records there. But if any such merchant, mercer, draper, or other of the artificers aforesaid, doe dwell in a market towne not incorporated, then the father or mother of an apprentice by him taken, must haue lands &c. to the value of iij.l. &c. to be certified by th^{re} Iustices, inrolled as is aforesaid. 5.Eliz.4.

What p^retices inhabitants in markettownes may take.

18 It is lawfull for every person being an housholder, & xxiij. yerres old at the least, and not occupping husbandry, nor being a labourer, dwelling in any market towne not being incorporated, so long as the same shall be weekly used as a market towne, and using any art, mystery, or mannall occupation, during the time of his abode there, and so using such art &c. to haue in like maner to apprentice the child or child^ren of any other artificer or artificers, not occupping husbandry, nor being a labourer, inhabiting in the same, or in any other such market towne within y^e same shire, to serue as an apprentice, to any such Art &c. as hath bin vsually exercised in any such market towne, where such apprentice shal be bound, in maner & forme aforesaid. And the inhabitants of Godalmin in the Countie of Surrey, within the limits of the watch of the same towne, may use such occupations, & take and use apprentices & seruants, as the aforesaid inhabitants within market townes may do. 5.Eliz.4.

Godalmin.

Apprentices whole par^ts may dispend no land.

19 It is lawfull to any person, using y^e occupation of a Smith, Wheelwright, Ploughwright, Millwright, Carpenter, Roughmason, Plasterer, Sawyer, Limeburner, Brickmaker, Bricklayer, Tiler, Slat^r, Weyer, Tilemaker, Linnen weaver, Turner, Coloper, Miller, Earthen potter, wollen weauer weaning huswifes or household cloth onely, & none other cloth, Fuller, otherwise called Tucker or Walker, Burner of We & Wood ashes, Thatcher, or Shingler, whetsoeuer he or they shall dwell, to haue or receiue the sonne of any person as apprentice, in maner & forme abovesaid, to be instructed in these occupations onely, & in none other, albeit the father or mother of any such apprentice haue not any lands, tenements, or hereditaments. 5.El.4.

20 It is not lawfull for any person, other then such as (at the time of the making of the statute, being 12.Jan. An Dni 1562.) did exercise any art, mystery, or mannall

nuall occupation, to set by oꝝ exercise any craft, myſterie, oꝝ occupation, now uſed within England oꝝ Wales (except he ſhall haue bin brought by therein by. yeres at the leaſt, as apprentice in ſome afoꝛeſaid) noꝝ to ſet any perſon on woꝛke in ſuch myſtery oꝝ occupation, being not a woꝛkman at the ſaid 12. Ianuarij (except he ſhall haue bin apprentice as is afoꝛeſaid) oꝝ elſe hauing ſerued as an apprentice, will be, come a Journeyman, oꝝ hyꝛed by the yere, vpon paine that euery perſon willingly doing the contrary, ſhall foꝛ. ſoꝛ euery default x. s. foꝛ euery month. 5. El. 4. That all ſuits vpon this branch of the ſtatut ſhalbe inquired of, heard, and determined in the generall Aſſiſes, Quarter ſeſſions, oꝝ Leet, where the offence ſhalbe committed, S. Actions popular 11.

None ſhal occup any craft but which hath bin apprentice.

21 No perſon uſing the myſtery of Wollen cloth weauer (other then ſuch as be inhabiting within the counties of Cumberland, Weſtmerland, Lancaſter. and Wales, weauing ſciꝛes, cottons, oꝝ huſwines cloth) only making & weauing wolle Cloth commonly to be ſold by any Clothier, ſhall take any apprentice, oꝝ ſhall in any wiſe inſtruct any perſon in the occupation of weauing afoꝛeſaid, in any village, towne, oꝝ place (cities, townes coꝛpoꝛat. and market townes onely except) vneſſe ſuch perſon be his ſonne, oꝝ elſe that the father oꝝ mother of ſuch apprentice oꝝ ſervant ſhall at the time of the taking of ſuch perſon to be an apprentice oꝝ ſervant, oꝝ ſo to be inſtructed, haue lands oꝝ hereditaments to the cleere yerely value of iij. l. at the leaſt, of one eſtate of inheritance oꝝ ſcithold, to be certified vnder the hands & ſeales of thꝛee Juſtices of the peace of the ſhire oꝝ ſhires, where the ſaid lands &c. do lie, the effect of the Indenture to be regiſtered, within iij. months, within the pariſh where ſuch ſpꝛaſter ſhall dwell, and to pay foꝛ ſuch regiſtring iij. s. vpon paine of foꝛfeiture of xx. s. foꝛ euery moneth that any perſon ſhall otherwiſe take any Apprentice, oꝝ ſet any ſuch perſon on woꝛke, contrary to the meaning of this article. 5. El. 4.

Wollen weauers apprentice

22 Euery perſon that ſhall haue apprentices in any of þ ſaid occupations of cloth-maker, fuller, ſhearman, weauer, ſailoꝛ, oꝝ ſhoe-maker, ſhall retaine & keepe one journeyman, & foꝛ euery other apprentice aboue the number of the ſaid thꝛee, one other journeyman, vpon paine to foꝛ. ſoꝛ euery default therein x. l. But this act ſhall not prejudice oꝝ hinder the liberties graunted by any act of Parliament in foꝛce to the Companie of Woꝛſted makers, & Weauers in the citie of Boꝛwich, & the County of Boꝛfolke. 5. El. 4.

For 2. apprentices ther ſhal be kept one Journeyman.

23 Euery perſon that ſhall be bounden by Indenture to ſerue as an apprentice in any art, ſcience, occupation, oꝝ labour, according to this Statute, and in ſome afoꝛeſaid (albeit the ſame Apprentice ſhall be within the age of xij. yeres at the time of the making of his Indentures) ſhall be bound to ſerue foꝛ the yeres in his Indentures contained, as largely to euery intent, as if he were of full age at the time of the making of ſuch Indentures. But no perſon ſhall by foꝛce of this Statute, be bound to enter into any apprenticeship, other then ſuch as be vnder the age of xij. yeres. 5. El. 4.

Worſted makers.

Apprentices bound within age.

24 If any perſon ſhall be required by any houſholder, hauing and uſing halfe a plough land at the leaſt in tillage, to be an apprentice, and to ſerue in huſbandrie, oꝝ in any other kind of art, myſterie, oꝝ ſcience befoꝛe expreſſed, and ſhall reſuſe ſo to doe, then vpon the complaint of ſuch houſholder made to one Juſtice of peace of the County wherein ſuch reſuſall ſhal be made, oꝝ of ſuch houſholder inhabiting in any Citie, Towne coꝛpoꝛat, oꝝ market Towne, to the ſpꝛaioꝛ, Bailiffe, oꝝ head Officer of the ſaid Citie &c. if any ſuch reſuſall ſhall there be, they haue full authoritie to ſend foꝛ the ſame perſon ſo reſuſing. And if the ſaid Juſtice, oꝝ the ſaid ſpꝛaioꝛ, oꝝ head Officer ſhall thinke the ſaid perſon meet to ſerue as an apprentice in that art &c. wherein he ſhall be ſo then required to ſerue, then he hath authoritie (if the ſaid perſon reſuſe to be bound as an apprentice) to commit him vnto ward, there to remaine

The remedie where one reſuſed to be bound apprentice both reſuſe.

Iustices of Peace.

maine until he wil be bound to serue as an appzntice should serue, according to the true meaning of this Act. 5. Eliz. 4.

The remedy
for a pzentice
which is mis-
used by his
paster.

25 If any such paster shall misuse, or euill intreat his appzntice, or the said appzntice shall haue any iust cause to complaine, or if the appzntice do not his dutie to his paster: Then the said paster or appzntice hauing cause to complaine, shall repaire vnto one Iust. of P. within the said Countie, or to the ppaio, or other head Officer of the Citie, Towne or port, market Towne, or other place where the said paster dwelleth, who shall take such order betwene the said paster and his appzntice, as the equity of the cause shall require. And if for want of good conformitie in the said paster, the said Iust. ppaio, or head officer, cannot agree the matter betwene him and his appzntice, then the said Iustice, ppaio, or head Officer, shall take bond of the said paster to appeare at the next Sessions to be holden in the said Countie, or within the said Citie, Towne or port, or market Towne, to be before the Ju. of the said county, or the ppaio, or head officer of the said towne or port, or market Towne (if the said paster dwell within any such) and vpon his apparance and hearing of the matter before the said Iust. or the said ppaio, or other head officer, if it be thought meet vnto them to discharge the said appzntice of his appznticehood: Then the said Iustices, or soure of them at the least, whereof one to be of the Quorum, or the said ppaio, or other head officer, with the consent of thre other of his brethren, or men of best reputation within the said Citie, Towne or port, or market Towne, haue power in wryting vnder their hands and seales to declare that they haue discharged the said appzntice of his appznticehood, and the cause thereof: and the said wryting so being made and inrolled by the Clerke of the peace, or Towne Clerke, amongst the Records that he kepeth, shall be a sufficient discharge for the said appzntice against his paster, his executors, & administrators, the Indenture of his said appznticehood, or any law, or custome to the contrarie notwithstanding. And if the default shall be found to be in the appzntice then the said Iustices, or the said ppaio, or other head Officer with the assistants aforesaid, shall cause such due correction to be ministered vnto him, as by their discretions shall be thought meete. 5. Eliz. 4.

Discharge of
appzntice ship.

If there be
fault in the
pzentice.

Taking of
appzntices
contrarie to
this statute.

In what man-
ner all penal-
ties forfeited
by this statute
shall be im-
ployed.

26 All Indentures, covenants, promises, and bargaines, for the hauing, taking, or keeping of any Appzntice otherwise to be made, or taken, then is by this statute ordained, shall be clerely void in the law to all intents, and euerie person that shall take, or newly retaine any appzntice contrary to the true meaning of this Act, shall forfeit for every appzntice so taken 1. pounds. The one halfe of which forfeiture, and of all forfeitures and penalties expessed and mentioned in this Statute (other then such as are expessed otherwise appointed) shall bee to the Que- her Heires and Successors, and the other moitie to him or them that shall sue for the same in any of the Quenes Courts of Record, or before any of the Iustices of Oyer and Terminer, or before any other Iustices, or President and Counsell before remembred, by Action of debt, T. B. or otherwise, wherein no W. C. P. etc. 5. Eliz. 4. Who in this case shall haue the for. in corporat Townes. S. Corporations 17.

London.
Dorwich.

27 Provided alioaies, that this Act shall not be pzeiudicial to the Cities of London and Dorwich, or to the lawfull Liberties, Customes, or Priuiledges of the same, concerning the hauing or taking of any Appzntices, but the Citizens and freemen of the same Cities, shall and may take and retaine appzntices there, in such maner as they might lawfully haue done before etc. 5. Eliz. 4. An. 12. H. 7. 1. it was enacted, that euery person of the occupation of W. orsted, Sales, and Stat- min makers within the County of Dorfolke, the which the soure Wardens of the said occupations within the said Countie yerely chosen, shall enable to keepe a pzentice, shall be at libertie to take and keepe at all times one or two Appzen- tices,

tices, any person or persons put to the foresaid occupation, so that he passe not two at once at the most. And likewise euery person shall be at his libertie, to put any Apprentice to the foresaid occupations: any Act or ordinance befoze made to the contrary notwithstanding. The which statute seemeth to be repealed for the inhabitants dwelling in all other partes of the countie of *Posfolke* (sauing in *Poswich* by the statute of 5. Eliz. 4. which repealeth all Statutes befoze made touching the hiring, keeping, working, wages, and order of seruants, workemen, artificers, apprentices, and labourers, and for *Poswich* onely it seemeth to be in force by this *Posuiso*. S. 12.

28 If any seruant or apprentice of husbandry, of any art, science, or occupation aforesaid, unlawfully depart, or flie into any other Shire, it shall be lawfull to the said Iustices of peace, and to the said Maiors, Bailifes, and other head Officers of Cities and Townes corporat, being Iustices of peace there, to make and grant writs of *Capias*, for many, and such as shall be needfull, to be directed to the Sherifes of the Counties, or to other head Officers of the places whither such seruants or apprentices shall so depart, to take their bodies, returnable befoze them at what time shall please them, so that if they come by such proces, they shall be put in prison till they shall finde sufficient suretie well and honestly to serue their Masters, Mistresses, or Dames from whom they so departed, according to the order of the Law. 5. Eliz. 4.

Seruants departing into another Shire.

29 But it is lawfull to the high Constables of Hundreds in euery Shire, to hold, keepe, and continue petit Sessions, otherwise called Statute Sessions, within the limits of their authorities, in all Shires wherein such Sessions haue bin vsed to be kept, in such maner as heretofore hath bin vsed, so as nothing be by them done therein contrarie or repugnant to this Act. 5. Eliz. 4.

Stat. Sessions.

30 It shall be lawfull to euery owner of Ships or vessels, & to euery householder using the trade of the Seas by fishing, or otherwise, to euery Gunner, commonly called a Canoner, & to euery Shipwright, to take or keepe one or more apprentice or apprentices to be brought up in the said trades, euery of the said apprentices to be to them bound for 7. yerres or vnder. And euery apprentice so taken being aboute vij. yerres of age, shall be by the same covenants bound, ordered, & vsed to all intents, according to the custome of the city of London, so that the same covenant or bond of apprenticeship be made by writing indented and inrolled in the Towne where the same apprentice shall be then inhabiting, if it be a towne corporat, & if the towne be not corporat, then to be inrolled in the next towne corporat to the habitation of euery such apprentice. And the officers of euery such towne corporat shall take for euery such inrolment not aboute xij. s. 5. Eliz. 5. 1. Jac. 2. 5. to continue until the end of the first Session of the next Parliament.

Owners of ships, Gunners, & Shipwrights, may take apprentices

31 Euery Craftzman of the mystery & occupation of Woollsted making, dwelling within any of the townes of Linne & great *Parmouth*, in the County of *Posfolke* & suburbes of the same, may haue and take apprentice or apprentices (being male) of the age of xij. yerres and vplward, and being the Kings naturall subjects for the terme of seven yerres, and not vnder, so that none of them exceede the number of two at once, to learne, vse, and exercise the said craft within either of the said townes or suburbes of the same, albeit the father of the same apprentice may not expend in lands and tenements to the yerely value of xx. s. any Act or Ordinance to the contrarye made or to be made notwithstanding. 14. H. 8. 3. 26. H. 8. 16. 5. Eliz. 4.

Inhabitants in Linne and *Parmouth*.

1 For conspiracies made by artificers or labourers for the order of their works. S. Artificers 1.

2 None shall worke Hatts with forein wooll, but which hath bin apprentice. S. Hatts 1.

3 How

Labourers, &c. Lapse. Leases.

- 3 How many Apprentices a Hatmaker may take, and for what time. S. Hattes 5.
- 4 None shalbe a Weauer, but which hath bin apprentice. S. Draperie 73.
- 5 For the authoritie and dutie of Iustices of Peace, Maiors, &c. concerning the executing of the statute of Labourers. S. Iustice of Peace 66. 67. 68. Corporations 19.
- 6 What shalbe taken for entry of an Apprenticeship and Freedome. S. Corporations 4.
- 7 In what cases Overseers of the poore may bind poore children apprentices. S. Poore 6.
- 8 Seruants imbeciling their masters goods. S. Stealing.

Lapse.

The ordinary may counterplead the title for a benefice fallen by Lapse.

When any Ordinary hath given a benefice which came rightfully to him by Lapse, & after the li. presenteth, & commenceth his suit against the patron, in this & all such like cases where the li. title is not tried, the Ordinary or possessor shalbe receiued to counterplead the title made for the King, & to haue his answer, shew and defend his right, though he claime nothing in the patronage. 25. Ed. 3. 7. pro Clero. S. Incumbent.

1 Where title to confer or present by Lapse shal not accrue vpon deprivation, but after vj. moneths after notice. S. Ecclesiasticall persons 5.

2 In what case Lapse of vj. moneths shall not preiudice the King. S. Prerogative 9.

Leases.

Leases by tenant in tail, or of the wives lands.

All Leases hereafter to be made of any manors, lands, tenements, or other hereditaments, by writing indented under seal, for terme of years, or for terme of life, by any person or persons being of full age of xvj. yerres, hauing any estate of inheritance, either in fee simple, or in fee tails, in their owne right, or in the right of their Churches, or wives, or iointly with their wives, of any estate of inheritance, made before the couerture, or after, shall be good and effectuell in the law against the lessors, their wives, heires, and successors, and euerie of them, according to such estate as is comprised in euerie such Indenture of lease, in like maner and forme, as the same should haue bene, if the lessors thereof, and euery of them at the time of the making of such Leases had bene lawfully seised of the same lands &c. comprised in the said Indenture, of a good, perfect, and pure estate of fee simple to their owne only uses. But this Act doth not give any libertie to any person or persons to take any more farmes, leases, or takings of any lands &c. then he or they should or lawfully might haue done before the making of this Act. 32. H. 8. 28.

Speciall observations of leases to be made by tenant in tail, or of the wives lands.

2 This Act doth not extend to any leases to be made of any manors, lands, &c. being in the hands of any farmer, or farmers, by vertue of any old Lease, vntill the same old lease be expired, surrendered, or ended within one yerre next after the making of the said new lease, nor shall extend to any graunt to be made of any reuerſion of any manors, lands, &c. nor to any lease of any manors, lands, &c. which haue not most commonly bene letten to farme, or occupied by the farmers thereof by the space of twentie yerres next before such lease thereof made, nor to any lease to be made without impeachment of waite, nor to any lease to be made aboue the number of xvj. yerres, or thre liues at the most, from the day of the making thereof, and vpon euery such lease there shall be reserved pecely during the same lease due

one and payable to the lessors, their heirs and successors to whom the same lands should have come after the death of the lessors, if no such lease thereof had bin made, and to whom the reversion thereof shall appertain, according to their estates and interests, so much yearly farm or rent, or more, as hath bene most accustomedly paid for the manors, lands, &c. so to be letten within xx. yeares next before such lease thereof made. And every person to whom the reversion of such manors, lands, &c. so to be letten shall appertain, as is aforesaid, after the death of such lessors, or their heirs, shall and may have such like remedie and advantage, to all intents against the lessors thereof, their executors and assigns, as the same lessors should or might have had against the same lessors, so that if the lessors were seized of any especiall estate taile of the same hereditaments at the time of such lease, the issue or heirs of that especiall estate shall have the reversion, rents, & services reserved upon such lease, after the death of the said lessors, as the lessors himselve might or ought to have had, if he had lived. 32. H. 8. 28.

3 The wife shall be made partie to every lease made by her husband, of any manors, lands, &c. being the inheritance of the wife, & every such lease shall be made by Indenture in the name of the husband and his wife, and she shall seal to the same, and the farm and rent shall be reserved to the husband and to the wife, and to the heirs of the wife, according to her estate of inheritance in the same: And the husband shall not in any wise alien, discharge, graunt, or give away the same rent reserved, nor any part thereof longer then during the coverture, without it be by fine levied by the said husband & wife, but the same rent shall remaine, descend, revert, or come after the death of such husband unto such person or persons & their heirs, in such sort as if lands so leased should have done, if no such lease had thereof bin made. 32. H. 8. 28.

The wife shall be partie to every Lease made of her land.

4 So Walter, Provost, President, Warden, Deane, Gouernour, Rector, or chiefe Ruler of any Colledge, Cathedral Church, Hall, or House of any learning in any of the Universities of Cambridge, or Oxford: So no Provost, Warden, or other head Officer of the Colledges of Winchester or Eaton, nor the Corporation of any of the same, by what title, stile, or name soever they now be, shall, or may be called, shall make any Lease for life, lines, or yeeres, of any their lands, tenements, or other hereditaments, to the which any tithes, arable land, meadow, or pasture, doth or shall appertain, except that the one third part at the least of the old rent, be reserved and paid in Coine for the said Colledges, Cathedral Church, Halls, and Houses, that is to say, in good Wheat after vs. s. viij. s. the quarter, or vnder, and good Spault, after v. s. the quarter, or vnder, to be delivered yearly upon daies prefixed, at the said Colledges, Cathedral Church, Hall, or Houses, And for default thereof, to pay to the said Colledges, cathedral church, Halls, or Houses, in ready money, at the election of the said Lessors, their executors, administrators, & assigns, after the rate as the best Wheat & Spault in the market of Cambridge, for the rents that are to be paid to the use of the house or houses there, And in the market of Oxford, for the rents that are to be paid, to the use of the house or houses there, And in the market of Winchester, for the rents that are to be paid to the use of the house or houses there, And in the market of Windsor, for the rents that are to be paid to the use of the house or houses at Eaton, is or shall be sold the next market day before the said rent shall be due, without fraud or deceit. And all Leases otherwise hereafter to be made, & all collateral bonds or assurance to the contrary by any of the said corporations, shall be void in law to all intents & purposes. The same Wheat, Spault, or the money comming of the same, to be expended to the use of the reliefe of the commons & diet of the said Colledges, Cathedral church, Halls, & Houses only, & by no fraud nor colour let nor sold away from the profit of the said Colledges, Cathedral church, Halls & Houses, and the Fellows & Schollers in the same,

Leases.

same, & the use aforesaid, upon paine of deprivation to the Convents & chiefe rulers of the said Colledges, Cathedrall church, Hall & Houses, and all other thereto consenting. 18. Eliz.

**Hounken
barne in
Duffer.**

5 But this act, or any thing therein contained, shal not extend, or be in any wise prejudiciall to any Lease to be made, of a barne called Hounken barne, with a certaine portion of Tithes, rising, growing, & being in the parish of Southwike in the county of Suffer, being parcell of the possessions of Pagdale Colledge in Drford, so that the terme demised in & by the said Lease, exceed not the number of ten yeres, from & after the feast of S. Michaele the Archangell next comming. Neither shall this Act extend to any lease to be made by the President and Schollers of the Colledge of S. John Baptist in Drford, to any heire male of Sir Thomas White, late Knight & Alderman of London, founder of the said Colledge, which lease shalbe made according to the meaning of the foundation and statutes of the said Colledge, of the Manor of ffield, and none other hereditaments. 18. Eliz. a Statute not printed.

**ffield demi-
sed to white.**

1 For the validitie & strength of all leases made by any Abbots, Priors, Nunnes, Masters of Colledges, Chauntries, &c. before their severall dissolutions &c. S. Monasteries 4. 9. 11. 12. 26.

2 What leases or other acts made by the husband onely, or by the husband & wife of lands of the wife, shall bind her or her heires. S. Women 5.

3 What leases or other assurances may be made by any Bishops of their lands. S. Ecclesiast. 6.

4 What leases or other assurances may bee made by any Master and Fellowes, Deane and Chapter, Parson Vicar, or other, having spirituall livings. S. Ecclesiasticall 7. 8.

5 How long leases of benefices with cure shall endure. S. Ecclesiast. &c. 9. 10. 11.

6 In what cases any spirituall person may take by lease any Lands, Parsonage, or Vicarage, and in what not. S. Ecclesiast. &c. 14. 16.

7 For leases made by tenant in taile of lands, whereof the reversion is in the King. S. Recoveries 4.

8 That a lessee for yeres may falsifie a recoverie had against him in the reversion. S. Recoverie 8.

9 What remedy the reuouers have against the lessee for terme of yeres of lads recovered for rent due, or wast committed. S. Recoverie 8.

10 Lessees shall have the same aduantage against the grantees in reversion, that they might have had against the grauntors. S. Condition 2.

11 Where lessees for life or yeres, are compellable to make Partition. S. Partition 4.

12 No stranger Artificer not being Denizen, may take a lease of any dwelling house or shop. S. Aliens 14.

13 For leases of lands in North and South Tindale. S. 11. H. 7. 9.

Leets, Liberties, Lawdaies, and Stewards thereof.

**Of what
things Ste-
wards in
Leets shall
inquire.**

Stewards in their Leets shall inquire by the othes of the Jurors, if all the chiefe pledges or headboroughes, or their dovens which owe suit to the Court, be come.

And also, if all the Jurors which owe suit to the Court, be come, and who be not.

And if there be any of the Lords villaines, which haue fled away, and do continue in any other place, saving in the Lords demeanes, & if they haue continued in the same

Leets, Liberties, Lawdaies, and Stewards thereof. 296

same demeanes by the space of a yere and a day, and if any of the said villaines be in any other Leet saving in this.

And of Customes and seruices due to this Court withdrowne, how, by whom, and in what Bailifes time.

And of Purprestures made in any land, wood, or water, to annoyance.

And of walls, houses, hedges, ditches, made vp, or broken downe to annoyance.

And of bounds pulled vp and carried away.

And of waies and pathes streitned and stopped.

And of waters stopped, and turned, or lead out of the right course.

And of breakers of houses, and common theues, and of their receiuers.

And of those which commit petite larcenie in stealing of hens, geese, or sheaves of corne.

And of Theues which steale clothes through windowes and walls.

And of those which goe in the message of theues.

And of Fines and Cries leuied and not pursued.

And of the escape of any felon.

And of outlawes which retorne without the kings warrant.

And of bloudshed, and affraies committed.

And of the rauishment of any Woman which was not presented befoze the Coroner.

And of Clippers and forgers of money.

And of treasure found.

And of sellers of Cloth, and Curriers of Leather dwelling out of Market Townes.

And of the assise of Bread and Ale broken.

And of false measures, false ballances and weights, and of those which haue double measure, and buy by the greater, and sell by the lesser.

And of those which doe continuall haunt Tavernes.

And of those which doe sleepe by day, and watch by night, and fare well, and no man knoweth whereof they liue.

And of those which take Doves in winter by any engines.

And of any person imprisoned, which is after let go without warrant.

And of those which doe lie into any Church or Churchyard, & after depart without doing that which they ought to doe. 18. Ed. 2.

1 Stewards of Leets shall inquire, heare, and determine in their Leetes all offences committed within their iurisdiction, contrarie to the Statute provided 1. Jacobi touching Tanners, Curriers, Shomakers, and other artificers, occupying the cutting of Leather, and also shall by their discretions examine all persons suspected to offend the said Act, or any parcell thereof. 1. Jacobi 22. See Leather. Cordwainers.

3 Stewards of Leets in their Leets haue power to inquire of all attachments made by the officers of the Courts of the East marches, or West marches out of any of the Counties of Westmerland, Cumberland, or Northumberland, or the towne of New Castle vpon Tyne, & therein to proceed, as they may vpon presentments taken befoze them in their Leets, of trespass or affraies made against the R. peace. 13. H. 5. 3. S. Marches. Attachm^t in the Marches.

4 The Lord of every Leet hath authoritie to inquire of all the offences committed contrarie to the purport & forme of the statute provided (1. Eliz. for the preservation of Spawne & frise of fish) within the precinct of the said Leet, such inquirie to be had in maner and sort as common amerciaments, or other things inquirable in Leets haue been lawfully vsed to be made: And vpon every such presentment
Cecy ment

Leets, Liberties, Lawdaies, and Stewards thereof.

ment had in any Leet or Court by the othe of xij. men, of any offence made contrary to the said Stat. all forfeitures appointed for such offence, shall be unto the Lord of the said Leet, and shall be levied as amerciaments for affraites committed within the precinct of such Leet have bin used to be levied. And if the Steward of a Leet, or some other for him, doe not charge the Jurie sworne in every Leet to inquire of all offences done within the precinct of the same Leet, concerning the killing of Spawne or frise of fish, Kepper or Shedder Salmones, or Trouts, Pickerell, Salmon, Trout, or Barbell, being not of lawfull length, and concerning the maul of Nets, and other Engines, he shall forfeit for every offence xli.s. to the Du. & him that will sue for the same. And if any Jurie sworne in a Leet, having charge to inquire of the premisses, do willingly conceale and make default in presentment of the offence and offenders, then the Steward or Bailie, or their deputie, may impannell another Jurie within the same Leet, to inquire of such concealement: which being found, every of the Jurors so concealing, shall forfeit xx.s. to the Lord of the Leet for every offence. Having alwaies to all and every person and persons, bodies politique and corporat, and every of them, All such right, title, interest, claime, priviledge, and conservation, and enquire, and punishment, of, and for any the offences aforesaid, as they or any of them lawfully have and enjoy, or of right ought to have and enjoy by any maner of meanes: any thing &c. notwithstanding. 1.Eli4.17. 1.Jacob.25. To continue till the end of the next Parliament. S.Fish.3.4.

Offence.

Making of
Bault.

5 The Steward in every Leet shall have full power & authoritie to inquire, heare, & determine, as well by presentment of xij. men, as by accusation or information of y. honest witnesses, of, for, and upon all and every the offences and forf. committed (contrary to the statute provided: 2.Ed.6. for the true making of Bault) as wel for the King, as for the partie, that shall sue, procure, or cause the same to be presented. 2.Ed.6.S.Mault.

Artillerie.

6 Stewards of franchises, Leets, and Law-daies, have power to inquire of all and every Breach of the statute provided: 3.H.8. for the maintenance of Artillerie, of Buttes, and of the making and selling of Bowes in their Leets and Law-daies, and to heare and determine the same. And also by their discretion to examine all persons, not having Bowes, Shafts, and Arrowes, according to the said statute. And where any forfeiture given by the said statute, shall be found in any Leet, the Lord of the same Leet shall have the moitie thereof. 33.H.8.9. See Plaies 7. Archerie.

Widuaillers.
Artificers.

7 Stewards of Leets at their Leets, have authoritie to inquire, heare, and determine all and singular offences, committed by Widuaillers, Artificers, Workmen, and Labourers, against the Statute for them provided. 2.Edw.6. and to punish the offenders according to the tenor of the same Statute: 2.Edw.6.15. See Artificers 1.

Musters.

8 Stewards of Leets, Liberties, and Lawdaies, at their Leets and Lawdaies shall and may from time to time, inquire, heare, and determine everie of the offences committed contrary to the Act provided 4.& 5.Ph.& Ma. for the taking of Muster within the Precinct of their Leet or Libertie. 4.& 5.P.& M.3. See Capitaines 12.13.14.15.

Crossebowes
Handgunnes.

9 It is lawfull to all Stewards and Bailies in their senarall Leets and Lawdaies, to inquire, heare, and determine every offence committed contrary to the tenor of the Statute made: 3.H.8. concerning Crossebowes and Handgunnes, so that alwaies no lesse fine then x.l. be assessed upon every such presentment and conviction, the one moitie of every such fine to be levied to the use of the King, and the halfe of the other moitie to the owner of the Leet, or Lawday, by distress, or action of debt, and the other halfe of the said moitie to be to the partie that will pursue
for

for the same in any of the Kings Courts, by A. J. &c. wherein no W. C. P. &c. And if any Jurie, Sworne and charged to inquire for the King, of any offences committed contrarie to the said Statute, do wilfully conceale any of the said offences: then the Stewards or Bailiffs befoze whom any concealment shalbe had, haue authoritie to charge and sweare another Jurie of twelue, or moe, to inquire of such concealment: And if such concealment be found and presented by the said Jurie, then euerie of the first Jurie shall forfeit for every such concealment of every offence twentie shillings, the one moitie to be leuied to the owner of the Leet, or Lawday, by distresse, or action of debt, and the other to the J. to be recovered by A. J. &c. wherein no W. C. P. &c. But if the presentment or suit for any of the said forfeitures be not commenced within one halfe yeare next after the offence committed, then the offendor shall be thereof clerely discharged. 33. H. 8. 6. S. Gunnes.

10 The Steward of every Leet or Lawday hath authoritie to inquire by the othes of the Switours, of all offences committed within the Leet or Lawday against euerie point and article of the Statute provided 1. & 3. Ph. & Ma. for the amending of Highwaies, and to asseſſe such reasonable fines and amercciements for the same, as shal be thought meet by the said Steward, and the Steward shall make Cſtreets indented of all the fines, forfeitures, and amercciements for the defaults presented befoze him, and shall deliuer the one part thereof sealed and signed by him to the Bayliffe or High Constable of every Hundred, Rape, Lath, or Wapentake, wherein the defaults shall be presented, and the other to the Constable and Churchwardens of the Parish wherein the defaults were made, to be deliuered yerely within fixe weekes next after the feast of S. Michael the Archangell. 2. & 3. Ph. & Ma. 8. 5. Eliz. 13. And the said Stewards in their Leets and Lawdaies shall heare and determine euerie offence, matter, and cause, that shall grow or arise by reason of the Statute provided 18. Eliz. for the amending of Highwaies. 18. El. 9. S. Highwaies.

11 All Stewards of Leets and Lawdaies, in the same Leets and Lawdaies haue authoritie to inquire of all defaults, contempts, omissions, and offences committed contrarie to the effect of the Statute provided 32. H. 8. concerning the breed of Horses of higher stature: and all presentments thereof found, shal be certified by the Steward, Deputie, Steward, or Court holder of the same Leet or Lawday, in the next generall Sessions of the peace to be holden in the Countie where such presentment shall be found, or vnto the Cusſos Rotulorum of the same Shire, within fortye dayes after the presentment made. And if any such Steward, Deputie, or Court holder, imbeasill or conceale any such presentment, or do not certifie the same, as is aforesaid, he shall forfeit for every offence 11. s. to the King and J. that will sue for the same befoze the Just. of peace in their quarter Sessions, by A. J. &c. But the 10. s. of 11. s. for putting to pasture any Horse, Gelding, or Mare, infected with scab, or mange, vpon any fozests, Chases, Parkes, waste grounds, or common fields, shalbe to the Lord of the Leet, where the offence shall be presented. 32. H. 8. 13. S. Horses. 3. 4. 5. 6. 7. 8. 9.

12 Stewards in their Leets and Lawdaies haue authoritie to inquire and determine euery default and offence of Hostlers making Horse-bread, not sufficient, lawfull, and of due assise, according to the price of cozne, committed within the limits of their iurisdiction contrarie to the Statute in that case provided. 32. H. 8. 14. S. Inholders 2.

13 The Steward in every Leet hath authoritie to inquire by the othes of 12. lawfull men, of all offences committed contrarie to the Statute provided 7. Ed. 6. to auoid the great prices and exesse of Wines, and euerie such inquirie and presentment so taken and had, shall be of such force, as if the same were taken in the

Leets, Liberties, Lawdayes, &c. Leather, &c.

Kings Bench. And euerie of the paines, penalties, and forfeitures, to be due by force of the said Act, for any offence committed by any person, which shall be found by presentment before the said Steward, by verdict of 12 men (and no bill, plaint, action, or information thereof commenced in any of the 3 Courts of Record) shall be equally divided into two parts, whereof one shall be to the King, and the other to the poore of the towne or place where such presentment shall be found. 7. Edw. 6. 5. S. Wines 6. &c.

Serfants and Partridges.

14 Stewards of Leets, Liberties, and Lawdayes, within their severall Jurisdictions, shall and may heare, and determine of all and euery offence or offences, which shall be committed within the precinct of their liberties, jurisdictions, or franchises, against the tenor of the Act made Anno 23. Eliz. for the preservation of Serfants and Partridges. 23. El. 10. S. Serfants 2. 3. 4. 5.

Cottages and Inmates.

15 All and euery Lord and Lords of Leet and Leets, and their Stewards, within the precinct of his and their Leet and Leets, shall haue full power and authority within their severall Leets, to inquire and to take presentment by the oath of Jurors, of all and euery offence and offences committed contrarie to the Statute made Anno 31. Elizab. against the erecting and maintaining of Cottages and Inmates, and vpon such presentment had or made, to leuie by distresse to the vse of the Lord of the Leet, all such summes of money as shall be forfeited. And moreover it shall be lawfull for the Lord of euery such Leet, where such presentment shall be made, to recouer to his owne vse any such forfeiture by action of Debt in any of the 3 Courts of Record, wherein no W. C. P. &c. 31. Eliz. 7. S. Cottages. Iustices of peace 101.

A Steward shall not take in farme the profits of Courts.

16 No Steward, Deputie Steward, or other Under-Steward of any Court Leets, or Court Barons, shall directly or indirectly, in his owne name, or in the name of any other, take, receiue, or make benefit to his owne vse, in money, goods, or any other thing to the value of 10. s. or more, by vertue or colour of any demise or grant hereafter to be made, of any the profits, or Perquisites, or Emoluments of any such Courts, whereof they are Steward, which rightfully shall belong to the Lords of the same, vpon paine that euery Steward offending contrarie to the tenor of this Act, shall for euery such his offence forfeit 10. l. and to be disabled euery after to be Steward of such Court, or of any other: The one moiety of the forfeiture to be to the King, his Heires and Successors, the other halfe to the Inf. to be recovered in any of the Kings Courts of Record, by Action of Debt, 15. p. or 1. wherein no C. P. W. or other dilatorie plea shall be allowed, 1. Jac. 5.

1 At what time of the yere a Leet is to be holden. S. Turne 1.

Leather, Tanner, Currier, Shoemaker.

Gashing of hides.

No Butcher by himselfe, or by any other person, shall gash, slaughter, or cut any Hide of any Ox, Bull, Steere, or Cow, in slaying thereof, or otherwise, whereby the same shall be impaired, or hurt, vpon paine of forfeiture for euery hide so gashed, slaughtered, or cut, 10. s. And no Butcher shall water any hide, except only in the Moneths of June, July, and August: For shall offer to put to sale any hide, being putrified, or rotten, vpon paine of forfeiture for euery hide so watered, and so for euery hide so putrified, or rotten, and offered, or put to sale 10. s. 10. s. 1. Jac. 22.

Calfes under 5. weekes old.

2 No Butcher, or other person or persons shall kill any Calf to sell, being under five weekes old, vpon paine to forfeit for euery Calf so to be killed and sold 10. s. 10. s. 1. Jac. 22.

3 No person or persons, occupying the craft or myserie of a Butcher, shall occupie

pie o; vse by himsele, o; any other person o; persons, the feat, craft, o; mysterie of a Tanner, during the time that he shal vse the craft o; occupation of a Butcher, vpon paine of forfeiture of vi. s. viij. d. for euery day that he shall so vse the feat, craft, o; mysterie of a Tanner. 1. Lac. 22.

No Butcher
shal be a Tan-
ner.

4 No person o; persons shall tanne any Leather, o; shall vse, take, o; haue any profit, gaine, o; commoditie, of, o; by the said craft o; mysterie of Tanning of Leather, except such person o; persons, as had a Tanne-house at the beginning of this Session of Parliament (being 19. die Martij, Anno Dom. 1603.) and did then occupie the mysterie of Tanning of Leather: And except such as haue bene, o; hereafter shall be brought vp, instructed, o; taught, as apprentices, o; covenant o; hired seruants for that purpose, by the space of seuen yerres, in the mysterie of Tanning of Leather: And except the wife, and such sonne o; sonnes of a Tanner, as hath bene brought vp, and hath vsed the mysterie of Tanning of Leather, by the space of foure yerres, o; the sonne, o; daughter of a Tanner: O; such person who shall marie such wife, o; daughter, to whom he hath o; shall leaue a Tanne-house, and fatts, vpon paine of forfeiture of all such Leather, by him o; them so Tanned, o; whereof he o; they shall receiue any profit o; commoditie by tanning, o; the iust value thereof. 1. Lac. 22.

who may be a
Tanner.

5 No person o; persons, vsing the mysterie of tanning of Leather, by himsele, o; by any other person o; persons, shall, during that time that he shall vse the sayd mysterie, occupie o; vse the craft o; mysterie of a Shoemaker, Currier, Butcher, o; of any other Artificer, vsing o; exercising cutting o; working of leather, vpon paine to forfeit and lose all and euerie such hide and hides, skin and skins, so by them o; any of them wrought, o; tanned, during the time that hee shall vse the mysterie o; craft of Tanning aforesaid, o; the iust value thereof. 1. Lac. 22.

No Tanner
shal be a cutter
of Leather.

6 No person o; persons shall bargain, buy, make, contrait for, o; bespeake any rough hide o; calues skin in the haire, but only such person o; persons as by vertue of this Act may lawfully vse the Craft o; mysterie of Tanning of leather, and shal tanne the same, o; such person o; persons which shal talu the same, except salt hides for the necessarie vse of ships, vpon paine to forfeit all and euerie such hides & skins so bought, o; the iust value thereof. 1. Lac. 22.

who may buy
rough hides
o; calues
skins.

7 No Tanner, o; other person o; persons, shall forfeitall any hides comming towards any faire o; market, nor shall buy any hide any otherwhere then in open faire o; market, vlesse it be of such person o; persons as shall kill the same beast, whereof the said hide shalbe, for the prouision of his o; their owne house, o; houses, vpon paine of forfeiture for euerie hide so forfeitall o; bought, contrary to the true meaning of this Act, vi. s. viij. d. 1. Iacobi 22.

forfeittall
of hides.

8 No person o; persons shall o; may buy, sell, bargain, bespeake, o; take, promise to haue, exchange, o; put away any tanned leather not wrought and conuerted into made wares, but onely such person and persons as wil and shal worke and conuert the same leather into made wares, vpon paine of forfeiture of the leather so bought, sold, exchanged, o; put away, o; the value thereof. Provided alwaies, That all and euery Artificer, and other person and persons, vsing to conuert tanned leather into made wares, as well strangers borne, as other, may lawfully buy all kind of tanned Leather, to make o; conuert the same into made Wares, at Leaden Hall in London, vpon euerie Sunday, the same being first duly Searched, Sealed, and Registered, as is hereafter limited. Provided also, That the Sadlers and Girdlers may sell their peeces, Shards of Tanned Leather, red, without incurring any paine o; forfeiture for the same. 1. Iacobi 22.

who only may
buy tanned
Leather not
wrought.

9 No person o; persons whatsoever, which shall occupie o; vse by him o; themselves, o; by any other person o; persons, the craft o; mysterie of tanning of leather shall

How hides
shal be vied in
tanning.

Leather, &c.

shall suffer any Hide or Skin to lye in the lymes, till the same be ouer lymed, nor shall put any Hides or Skins into any tanne fats, befoze the lyme be well and perfectly sokened and wought out of them, and euerie of them, nor shall vse, imploy, occupy, or put by themselves, or by any other person or persons, any thing, or stuffe in, or about the workmanship, or tanning of Leather, but onely Ash bark, Wake bark, Taptwort, Spault, Heale, Lyme, Culuer dung, or Henne dung: Nor shall willingly suffer his or their leather to be laied, or to hang, or to lye wet in any frost vntill the same be frozen: Nor shall drie or parch the said leather with the heat of the fire, or of the Summer Sunne: Nor shall tanne or cause to be tanned any hide or skin, being putrified or rotten by long lying, either befoze the putting of it into the lymes, or after into the water, or liquoz, or by any other means: Nor shall suffer the hides so; vnter sole leather, to lye in the Welozes any lesse time then twelue moneths at the least: Nor the hides so; vpper leathers in the like Welozes, any lesse time then nine moneths at the least: Nor shall negligently woike the hides in the Welozes, but shall renew and make strong their Welozes as often as shall be requisit: Nor shall put to sale any tanned hide, or skin, which shall be wought and tanned in any other sort, then by this statute is limited and appointed, vpon paine of forfeiture so; euerie Ore hide, Bull hide, Stære hide, Cow hide, or skin tanned or wought, or offered to be put to sale, contrary to the true meaning of this Act, or the iust value thereof. 1. lac. 22.

Rolling of
hides with
mixtures.

10. No person or persons, vsing, or which hereafter shall vse the craft or mystery of Tanning of Leather, shall raise with any mixtures any hide, to be imployed and conuerted to Backes, Wend Leather, Clovting Leather, or any other Sole Leather, except the same hide be so; largenelle, state, and growth, fit and sufficient so; that vse and purpose, the same to be tried by the Wriers, hereafter in this Act to be appointed, vpon paine of forfeiture of all such hides, which shall be raised, and conuerted to Sole Leather, contrarie to the true meaning of this present provision. 1. lac. 22.

Sole of tan-
ned Leather
red and vn-
wought.

11. No person or persons whatsoever shal put, or cause to be put to sale, exchange or otherwise depart with any kind of tanned leather, red, and vnwought, but in open faire or market, in the places theretofore commonly accustomed, and theretofore prepared, vntill the same leather haue bene befoze lawfully searched and sealed in some open faire or market, or other place lawfully appointed to and so; the searching and sealing of leather: Nor shall offer or put to sale any tanned leather, red, and vnwought, befoze the same be searched, and sealed, according to the lawes and order of this statute, hereafter mentioned: vpon paine of forfeiture so; euerie hide or peece of leather so sold, exchanged, or otherwise departed with, contrarie to the true meaning of this Act, six shillings eight pence, and so; euerie dozen of Calues skins, or Sheepe skins, iij. s. iij. d. and the hide or hides, skin or skins, and leather, in any other wise sold, exchanged, or bought, or the value thereof. 1. lac. 22.

Leather not
sufficiently
tanned or
dried.

12. If any person or persons, vsing, or which shall vse the myserie or faculty of Tanning, shal at any time or times hereafter, offer or put to sale any kind of leather, which shall be insufficiently, or not thoroughly tanned, or which shall not then haue bene after the tanning thereof, well and thoroughly dried, so that the same by the Wriers of Leather, lawfully appointed according to this Act, so; the time being shall be found to be insufficiently, or not thoroughly tanned, or not thoroughly dried, as aforesaid, then all and euerie such person and persons so offending, shall so; forfeit so much of his or their said leather, as shall be found insufficiently, and not thoroughly tanned, or not thoroughly dried, as aforesaid: that is to say, the whole hide, backe, or skin, or other peece of Leather, if the whole be insufficiently, or not thoroughly tanned, or not thoroughly dried: And if the whole hide, backe, skin,

or other p[ar]ce of Leather, be not sufficiently, or not thoroughly tanned, or not thoroughly dyed, then onely so much of the hide, backe, skin, or other p[ar]ce of leather, as shall be insufficiently, or not thoroughly tanned, or not thoroughly dyed, the same to be cut out by the oversight, discretion, and direction of the Triers hereafter in this Act to be appointed, vpon the othes of the said Triers. 1. Iacob. 22.

13 No person or persons, shall set their f[ur]t[er] in Tanne-hills, or other places, where the Tanners or Leather that shall be put to Tanne in the same, shall or may take any unkind heats, or shall put any Leather into any hose or warme Tanners, or shall Tanne any Hide, Calves skin, or Sheeps skin, without any hot or warme Tanners whatsoever, vpon paine, that every person so offending, shall for every such offence r[est]r. And shall also for every such offence stand vpon the Pillorie three seuerall market daies, in the market towne next to the place where the said offence shall be committed. 1. Iacob. 22.

Leather shall not take unkind heat.

14 No person or persons shall regrate, ingrosse, or get into their hand, by buying, contracting, or promise taking, any Waken barke, before it be stripped, or after, to the intent to sell the same againe, vpon paine of forfeiture of all such barke, so by him or them regrated, ingrossed, or bought, contrarie to the true meaning of this present Statute, or the full value thereof. 1. Iacob. 22.

Regrating or ingrossing of barkes.

15 No person or persons shall sell, or cause to be sold, any Waken trees, meet to be barked, where barke is worth two shillings a Cart load ouer and aboue the charges of barking and pilling (Timber to be employed to and for the necessarie and needfull building or reparation of Houses, Ships, or Mills, onely excepted) but betwene the first day of Aprill, and the last day of June, vpon paine of forfeiture of every such Waken Tree so forfeited, or double the value thereof. 1. Iacob. 22.

At what time trees to be barked shall be killed.

16 No taker, or takers, puruer, or puruers of Timber, or his or their deputie or deputies, shall sell, or cause to be sold, for the vse of the R. Maiestie, his heires or successours, any oaken timber tree, or trees, meet to be barked, but in barking time (trees to be sold, for y^e needfull & necessarie building or repairing of any his Majesties, or Ships, onely excepted) and shall in any wise take or receive any manner of profit, gains, or commoditie, by any loppes, toppes, or barke of any Trees, to be taken by them, or any of them: And shall in any wise take, carry away, giue, sell, or dispose from the owner any more of any tree to be taken, as is also said, then onely the timber of the same tree or trees to be used, and bestowed, or employed onely in, vpon, or about the Kings Majesties buildings, or Ships, vpon paine of forfeiture to the parties grieved, for euery tree, and for the lops, tops, or barke of euery tree, taken contrarie to the meaning of this article, r[est]r. And it shall be lawfull to the parties of whom such tree or trees shall be taken, or to any other for & in his name, to take, retaine, withhold, and keepe to himselfe all the barke, lop, and top, of such tree or trees, Any Commission or other matter whatsoever notwithstanding. 1. Iacob. 22.

At what time Puruers shall sell timber.

No taking of Loppes.

17 No person or persons shall currie any kind of Leather in the house of any Shoemaker, or other person, but onely in his owne house, situate in a corporate or market towne, nor shall currie any kind of Leather, except it be well and perfectly tanned; nor shall currie any hide, or skin, being not thoroughly dry, after his wet season, in which wet season he shall not vse any scale, brine, or any other deceitfull or subtil mixture, thing, way, or meanes, to corrupt or hurt the same, nor shall currie any Leather meet for better sole Leather, with any other stuffe then with hard tallow, nor of any lesse of that, then the Leather will receive: nor shall currie any kind of leather meet for ouer leather, and inner soles, but with good and sufficient stuffe, being fresh and not salt, and thoroughly liquored till it can receive no more, nor shall burne or scald any hide or leather in the currying, nor shall haue any

Currying of Leather.

Leather, &c.

any leather too thin, & so shall gash or hurt any leather in the shaving, or by any other meanes, & so shall woꝝke the same sufficiently in all points and respects, vpon paine of foꝛfeiture foꝛ euery such offence or act done contrarie to the true meaning of this article (other then in gashing or hurting in shaving) vs. s. viij. d. and the value of euery such skin, or hide, marred by his euill woꝝkemanſhip, and foꝛ euery offence to be done against this article, in gashing, or hurting by shaving, double so much to the partie grieved, as the leather shall be impaired thereby, by the iudgement of the Wardens of the Curriers, and the warden of the Companie wherof the partie grieved shall be. 1. Jac. 22.

Who shall cur-
rie leather in
or nere
London.

18 No Cordwainer, Shoemaker, or other person or persons, dwelling or inhabiting within the city of London, or the liberties of the same, or dwelling within iij. miles of the said citie, & occupying wet curried leather in his art or occupation, shall put or cause to be put, any leather to be curried, but to such person or persons, as he or she shall be free of the Companie of the Curriers of the citie of London, vpon paine of foꝛfe. of all such curried leather, or the value thereof. 1. Jac. 22.

Curried leather shall be searched and sealed.

19 No person or persons, shall by any means occupie, or put in any made wares within the citie of London, or thre miles of the same citie, any curried leather, befoꝛe the same shall be searched, & allowed by the Wardens of the Curriers of London foꝛ the time being, or such persons as they shall thereto assigne and be sealed with a seale therfoꝛe to be prepared, vpon paine that euery Shoemaker and other Artificer, Cutter of leather, offending against this article, shall foꝛfeit foꝛ euery hide or skin other wise curried or employed, as is afoꝛesaid, six shillings eight pence, and the value of euery such hide or skin. 1. Jac. 22.

A Currier shall not be a tanner, shoemaker, &c.

20 No person occupying the seat or myſterie of a Currier, shall vse or exercise the seat or myſterie of a Tanner, Cordwainer, Shoemaker, Butcher, or other Artificer, vsing cutting of leather, during the time that he shall so vse or occupie the myſterie of a Currier, vpon paine of foꝛfe. of vs. s. viij. d. foꝛ euery hide or skin, that he shall Currie, during the time that he shall occupie any of the myſteries afoꝛesaid, contrarie to the meaning of this article. 1. Jac. 22.

Within what time leather shall be curried.

21 No Currier or Curriers shall refuse to currie any leather to him or them foꝛ that purpose brought, by any such Artificer, as is or shall be a cutter of leather, the same Artificer or his seruant, bringing with him or them good and sufficient stufte, as is befoꝛe mentioned, foꝛ the perfect liquozing of the same leather: And the said leather in the pꝛesence of the said Artificers, cutters of leather, his seruant or seruants (if he or they will be pꝛesent) shall be liquozed and curried in all things, and degꝛees perfectly: And if he or they will not be pꝛesent, it shall neuerthelesse be likewise liquozed and curried in his or their absence, perfectly, with as conuenient speed as may be, not exceeding eight daies in summer, and sixtē daies in winter, after he shall or may take it in hand, vpon paine to foꝛfeit to the partie grieved foꝛ euery hide & peece of leather, not in this maner curried and well and speedily desed, x. s. 1. Jac. 22.

Searching and sealing of curried leather.

22 The Wardens of the Curriers foꝛ the time being, or such persons as they shall assigne and appoint, shall from time to time search and trie all such curried leather as shall be brought to any of their companie to be curried, & shall with a seale therfoꝛe to be prepared, with conuenient speed, not exceeding one day after the currying & request made, seale such leather as they shall find sufficiently curried, taking foꝛ euery hide so sealed, after the rate of s. d. foꝛ the dicker, and foꝛ euery sixe dozen of calues skins, s. d. & not aboue, to be paid by the currier, vpon paine of foꝛfe. foꝛ euery hide which shall not be searched and sealed as is afoꝛesaid, vs. s. viij. d. 1. Jac. 22.

The Shoemakers dutie.

23 No person or persons, which shall occupie the myſterie or Occupation of a Cordwainer, or Shoemaker, shall make or cause to be made, any Boots, Shoes, Buskins, Startups, Slippers, or Pantofles, or any part of them, of English leather

ther soet curried (other than Wier Skins, Calves Skins, or Goat skins, made or dyed like unto Spanish leather) but of leather well and truly tanned, & curried, in manner and forme aforesaid, or of leather well and truly tanned onely, & well & substantially sewed, with good thred well twisted and made, and sufficiently wayed, with ware well cosoned, & the stiches hard drawne with hand leathers, as hath bin accustomed, without mixing or mingling overleathers, that is to say, part of overleather being of seats leather, part of Calves leather, No shall put into any shoes, boots, buskins, startups, slippers, or pantofles, any leather made of shepe skin, bull hide, or horse hide, No into the upper leather of any shoes, startups, slippers, or pantofles, or into the neather part of any boots (the inner part of the shoe onely excepted) any part of any hide from which the sole leather is cut, called the wombes, necke, shanke, flanke, powle, or chcke, No shall put into the vtter sole any other leather, than the best of the ore, or skere hide, No into the inner sole, any other leather than the wombes, neckes, powle, or chcke, nor in the trestwels of the double soled shoes, other than the flanks of any the hides aforesaid, nor shall make or put to sale in any yere betwene the last of September and the twentieth of Aprill, any shoes, boots, buskins, startups, slippers, or pantofles, met for any person to weare, exceeding the age of foure yeaeres, wherein shall be any this English leather (other than calves skins, or goat skins made, or dyed, or to be made or dyed, like unto Spanish leather, or any part thereof.) No shall shew to the intent to put to sale any shoes, boots, buskins, startups, slippers, or pantofles, upon the Sunday, upon paine of forfeiture for every paire of shoes, boots, buskins, startups, slippers, and pantofles, made, sold, shewed, or put to sale, contrarie to the true meaning of this Act, thre shillings foure pence, and the full and full value of the same. 1. lac. 22.

No sale of shoes upon the Sunday.

24 The Masters and Wardens of the severall Mysteries of Cordwainers, Carriers, Cordlers, & Sadlers, of the citie of London for the time being, by what name or names soever they be incorporated or intituled, or the moze part of the said Master and Wardens, of every of the said severall mysteries, upon pain to forfeit. for every yere that they make default, the one halfe thereof to be to the R. Pa. his heires, and successors, & the other halfe to him or them that will sue for the same, shall by vertue of this Act foure times in the yere at the least, That is to say, once every quarter of the yere, or oftner if need requirs, as they shall thinke good, make true search and viewe of and for all Boots, shoes, Buskins, and other wares, and things whatsoever made of tanned leather, in all and every house and houses, place and places, privileged and not privileged, as well within the citie of London, and Suburbs thereof, as in every other place within thre miles of the same citie, where any Shoemaker, Sadler, Cordler, Carrier, or other Artificer, using cutting, working, or dressing of leather, both or shall dwell, or occupie any of the occupations of cutting, working, or dressing of leather, whether the same boots, shoes, wares, stuffs, and other things to be made of tanned leather, and be wrought according to the purport, effect, and true meaning, of this Stat. or not. And if shall and may be lawfull to and for the said severall masters, and wardens of the said severall Mysteries, which shall be for the time being, to take, seize, and carrie away to their severall common Halls, all such Boots, shoes, Wares, stuffs, or other things which the said severall masters and wardens shall find in their severall searches, insufficiently made, curried, or wrought. Provided alwaies, That none of the said severall masters and wardens of the said severall companies of Cordwainers, Carriers, Cordlers, or Sadlers, shall search any person or persons, but such as use and exercise the myserie or occupation of the master and wardens. And that the Coachmakers dwelling within the said citie of London, or thre miles from the same, shall be under the survey and search of the master and wardens of the companies.

Searching of wares made of tanned leather.

Coachmakers.

Leather, &c.

nie of the Shaplers of London. 1. Jac. 22.

**Searchers &
Dealers of
leather in
London.**

25 The Mayor of the cite of London, and the Aldermen for the time being, upon like paine of xl. likewise to be levied and impleied, shall likewise pely ap- point eight of the most substantiall, honest, and expert persons, being framen of some of the companies of Cordwainers, Curriers, Shaplers, or Girdlers, within the city of London, whereof one shall be a Dealer, and keepe a Seale for the sealing of leather to be prepared, who shall also be sworn before the said Mayor and Alder- men, for the time being, to do their office truly: Which said Searchers and Dea- lers, shall view and search all and every tanned hide, skinn, or leather, which shall be brought as well to the market of Leaden hall, as to any other lawfull faire or market therfore usually appointed, within three miles of the said cite, whether the same be sufficiently and thoroughly tanned, and thoroughly dyed, according to the purport and true meaning of this Statute, or no: And finding it sufficiently and thoroughly tanned, and thoroughly dyed, in such maner and forme, as by this Stat. is appointed, shall seale the same with the said seale. 1. Jac. 22.

**Searching &
sealing of lea-
ther in all o-
ther parts of
the Realme.**

26 All Mayors, Bailiffe, and other head officers, for the time being, in all other Cities, boroughs, and market townes of this Realme, And all Lord of Liberties, faires and Markets, out of the circuit or compasse of the said three miles, shall upon like paine of xl. pounds likewise to be levied and impleied everie yere that they make default herein, appoint and swear pely two, three, or more persons of the most honest and skilfull men within their severall offices or liberties, by their dis- cretion to search and view within the precinct of their said offices, liberties, and au- thorities, which shall as often as they shall thinke good, or need shall be, make like search within their limits, and shall have a marke or seale prepared for that pur- pose: And the said Searchers, or one of them, shall keepe the same Seale or Marke, and with the same shall seale and marke such leather, as they shall find sufficient, & no other: And if the said Searchers or any of them, do find any leather sold, or of- fered to be sold, or brought to be searched or sealed, which shall be tanned, wrought, converted, or used contrary to the true intent and meaning of this Statute, or any leather insufficiently curried, or any boots, shoes, bibles, or any other thing made of tanned or curried leather, insufficiently tanned, curried, or wrought, contrary to any provision in this present Act, it shall be lawfull to the said Searchers, or any of them, to seize all such leather, shoes, or other wares made of leather, and to retaine the same in their custodie, untill such tyme as the same be tried by such triers, and in such maner and forme as is hereafter in this Statute appointed. 1. Jac. 22.

**Fire triers
of leather in
London.**

27 The Mayor of the cite of London, for the time being, within five daies af- ter notice to him given of any seizure made of any leather red, and unwrought, within the iurisdiction of the said cite, or three miles distant from the same, either by the owner or owners, or by the seizure of the said leather, shall elect and appoint five honest and expert men, whereof there shall be of the better sort of the Compa- nie of Cordwainers of London two, of the better sort of the Curriers of London two, and other two of the better sort of Lanners, using Leaden Hall market, who shall be no kinne or of affinity to the said owner or owners, who upon their corpe- rall othes to be taken before the said Mayor, shall on the second or third market day, at the furthest, to be holden upon the munday for leather, next after the said sei- zure, in the afternoon of the same day (to the intent the owner or owners may con- veniently be present) inquire, straitly examine & trie, whether the said leather so sei- zed shall be sufficient and serviceable or not, according to the intent and true mea- ning of this act. 1. Jac. 22.

**Triers of lea-
ther in other
places.**

28 Every other Mayor, Bailiffe, or other head officer, or Lord of Libertie, or his sufficient deputie, out of the said compasse of the said three miles, within whose pre- cincts or liberties any such seizure of any kind of tanned leather, red or curried, or of any

any shoes, bootes, or other wares made of tanned leather, shall happen to be, shall with all convenient speed after notice vnto him giuen, of any such seizure, appoint five honest and expert men, to trie whether the same leather, bootes, shoes, or other wares so seized, be sufficient and according to the true intent of this statute or not, the same triall to be made openly vpon some market day, and within fiftene daies at the furthest next after such seizure made vpon the oathes of the said Triers. 1. Iacobi 22.

29 If the said Mayor of the Citie of London for the time being, or any other Mayor, Bailiffe, or other head Officers of any other citie, borough, corporation or market towne, or any Lord of any Libertie, faire, or market, shall make default in the nomination or appointment of any the foresaid Triers, to be nominated & appointed in such manner and forme as is before ordained, then euery such Mayor, Bailiffe, or other head Officer, or Lord of Libertie, faire, or Market, making such default, shall forfeit and lose for euery default v. l. the one moitie thereof shall bee to the B. Chauncellor, his heires or successors, and other halfe to him or them that will sue for the same, in any of the B. Courts of Record, by W. D. J. or otherwise. And the said persons so elected and appointed for triall of the said leather, shoes, bootes, or other wares, made of tanned leather, so to be seized as aforesaid, shall proceed and doe their duties therein without delay, according to the true intent and meaning of this Act, vpon paine that euery of them making default therein, shall for euery such severall default, forfeit and pay v. l. 1. Iac. 22.

30 Foure of the said eight Searchers and Sealers, so to be appointed within the said Citie of London, as aforesaid, shall be at the end of euery yeare chaunged and remoued, and so many new chosen in their comes and places: And no person or persons shall remaine, continue, or be in the said Office of searching or sealing of leather, within the said Citie of London, aboue the space of two yeares together: And he or they which shall serue or be employed in the said Office of searching, and sealing of leather two yeares, shall not in the said Office be chosen, serue, or be employed againe, untill the end of thre yeares at the least then next following, vpon paine that euery person offending or doing the contrarie, shall forfeit for euery moneth that he shall contrarie be and exercise the said Office, x. pounds. 1. Iac. 22.

31 If any Searcher or Sealer of leather, shall refuse with convenient space to seale any leather sufficiently tanned, wrought, and vsed according to the true meaning of this Act, or doe allowe that which shall be insufficient, then euery Searcher and Sealer, shall forfeit for euery such Offence xl. s. And further, if any Searcher of leather shall receive any bribe, or exact any other fee, for the execution of his said Office, than is by this Stat. limited, for the searching, sealing, and registering of leather, then euery such Searcher or Sealer, so offending, shall forfeit for euery such offence xx. l. And if any person or persons duely elected, according to the true meaning of this Act, to and for the execution of the said Office of searching or sealing of leather, refuse to execute the said office, then the said person or persons so refusing, shall forfeit and pay x. l. 1. Iac. 22.

32 All red tanned leather, which shall be brought into the citie of London, or within thre miles compasse from the same, whether it be to be sold, or be bought before hand or no, shall be brought to Leaden hall before it be housed in his or their owne houses, and there viewed, whether it hath bene searched, or sealed, or no, and shall also be registered by the Searchers to be appointed as is aforesaid, with halfe such fees to be paid, for such of the said tanned leather, as shall be bought out of the said citie of London, or thre miles compasse from the same, and shall be duely searched and sealed before it be brought within the said Citie, as is hereafter expressed for leather to be sold in Leaden Hall, vpon paine that euery person housing, or

The penaltie for not appointing of triers.

Chaunging yearly the Searchers and Sealers of Leather.

A Searcher or Sealer omitteth his duty, or taketh bribes.

Leather brought to Leaden hall to be viewed and registered.

Leather, &c.

not bringing his leather to Leaden Hall, as is aforesaid, shall forfeit for everie hide or skinne, five shillings eight pence. Provided, that this Article shall not extend to any leather to be bought in Bartholomew faire, or Southwarke market, being searched, sealed, and registred, according to the true meaning of this Act. 1. Jac. 22.

Searching
and sealing of
leather sold in
or nere Lon-
don.

33 No tanned leather shall be sold within the Citie of London, or thre miles distant from the same, before the same have bin searched & sealed by the searchers & sealers, by vertue of this Act to be appointed to & for the searching & sealing of leather within the said citie, & thre miles distant from the same, upon paine of for. of all such tanned leather otherwise sold, or the full value thereof. 1. Jac. 22.

The penaltie
for denying of
search.

34 If any person will wilfully withstand or denie any such search to be made, according to the tenor of this Act, as is aforesaid, or will not suffer the said severall Masters and Wardens of the severall Companies of Cordwainers, Curriers, Girdlers, or Sables, or other Searchers so appointed, to enter into his or their house or houses, or other place to view and search at their will and pleasure, all manner of tanned leather, and all manner of Shoes, Boots, Pales, Sables, Coach coverings and Harneis, & all manner of wares wrought & made, or to be wrought and made of leather, and to seize and carrie away all such leather, shoes, & wares, as they shall find insufficiently tanned, curried or wrought, or made of ill stuffe: When all and every such person and persons, so denying and withstanding, and not suffering the said Master and Wardens, and Searchers, or any of them so appointed for the time being, to enter and make search and seize as aforesaid, shall loose and forfeit for every time so denying and withstanding, b.f. 1. Jac. 22.

Registring of
leather sold
and bought.

35 Such person and persons as hereafter shall be assigned and appointed, searchers and sealers of tanned leather, by vertue of this act, shall within the limits and precincts of every of their Searches, keepe one booke or register, wherein they shall enter all such bargaines as shall be made for leather, hides, or skinnies, by any person or persons, during and by all the time of the faire or market, being thereunto required by the buyer or the seller, and also the prices of such leather, bought and sold, with the names and dwelling places of the buyer and seller, taking for the searching, sealing, and registering of every tenne hides, backs, or butts of leather, with the neckes, wombes, and dibbins, or other peeces of offall cut off from the said backs or butts of leather, of the seller of every such ten hides, backs, or butts of leather, so entred, two pence, and so after the rate, and for every five dozen of Calve skinnies, or sheepe skins, two pence, and of the buyer after the same rate, & no more, greater, or other summe or summes of money to be paid for searching, sealing, or entering of any tanned leather. 1. Jac. 22.

The penaltie
for selling lea-
ther not re-
gistred.

36 No person or persons shall sell, exchange, or put away, or cause to be sold, exchanged, or put away, any manner of tanned leather, red and unwrought, except he or they register or cause to be registred, the said tanned leather, and every part and parcell thereof, and the price thereof, upon paine of forfeiture of the value of the Leather so sold, exchanged, or put away, and not registred. 1. Jac. 22. No person or persons shall at any time hereafter incurre any penaltie, losse, or forfeiture, for housing, selling, or buying of any tanned sheepe skins, vnsearched or vnsealed so as the said sheepe skins vnsearched and vnsealed shalbe wrought and converted into made wares within this realme of England, Any thing in the said statute of 1. Jac. to the contrarie notwithstanding. 4. Jac. 6.

Tanned
sheepskins.

The penaltie
for buying of
leather not
sealed or regis-
tered.

37 It shall not be lawfull to or for any person or persons, to buy any tanned leather, before the same shalbe searched and sealed, nor to carrie or cause to be carried, out of the faire or market, any leather till it be registred as aforesaid, upon paine to forfeit the said leather, or the value thereof, so bought and not searched and sealed, or carried away, and not registred. 1. Jac. 22.

38 If any Currier within the said citie of London, or 3. miles compasse of the same, doe currie any leather insufficiently tanned, or doe not currie such leather, as he both or shall currie, substantially and well, according to the meaning and purport of this Act, or if any Shoemaker, Cordwainer, or Cobler, within the Citie of London, or three miles compasse of the same, put any tanned leather into any shoes, boots, buskins, startups, slippers, pantofles, or other things made of tanned leather which shall not be well and perfectly tanned, according to the purport and true meaning of this act, or doe put any curried leather into any boots, buskins, startups, shoes, slippers, pantofles, or other things made of leather, which shall not be well and sufficiently tanned and curried, and also sealed as is also said, or do make boots, buskins, shoes, startups, slippers, pantofles, or other things made of English tanned leather, in any other manner than is above specified, and ordained: or if any Shoemaker, Sadler, or other Artificer, using cutting or working of leather, doe make any wares of any tanned leather, insufficiently tanned, or of tanned or curried leather, being not sufficiently tanned & curried, as is also said, or doe not make their wares, belonging to their severall occupations, sufficiently and substantially, then every person so offending, shall forfeit for every such severall offence, or default, the said wares, and the full value thereof. 1. Jac. 22.

The penaltie of the Currier or Cordwainer omitting his dutie.

39 No manner of person or persons, shall utter or sell, or cause to be uttered or sold, within the said citie of London, or within three miles compasse of the same, any manner of wares appertaining to the Craft or Myserie of any Artificer, using cutting of leather, but onely in open shop, common faire, or Market, whereby the said Wardens may have the true search of the same, upon paine of forfeiture of all such wares so sold, and tenne shillings for everie time. 1. Jac. 22.

Selling of wares in shop, faire, or market.

40 All and every person and persons whatsoever, now being, or that hereafter shall be free of the said citie of London, of what companie soever, and all foreigners, English or Aliens, and Strangers borne, dwelling or inhabiting, or which hereafter shall dwell or inhabit within the citie of London, or three miles compasse of the same, as well within places privileged, as not privileged, using or exercising any manuell occupation of cutting or working of leather into made wares, shall be under the survey and search of the Masters and Wardens of such Companies of the said Citie of London, as the Artificers commonly using the same Myserie or Occupation, being freemen of the Citie of London, and of the same Companie be, touching & concerning onely their wares and stuffe, made of or with leather, in like manner and forme, as other freemen of the same companie be or shall be: And shall contribute and pay to the said severall Masters and Wardens of the said severall Companies, for the time being, within the said Citie, as the Artificers using the same myserie being freemen of the said citie, and of the same severall Companies, shall contribute and pay, the same to be recovered by distress, or action of debt, in any of the H. Maiesties courts of Record, in which no Wager of law for the defendant to be allowed. 1. Jac. 22.

All cutters of leather in or near London shall be under search.

41 All which paines, penalties, and forfeitures also said, of summes of money also said (except such paines, penalties, and forfeitures, as are before, or hereafter by this Act, shall otherwise be disposed) shall be divided into three equal parts, one part whereof shall be to the H. his heires and successors, And another part to him or them that shall first sue for the same, in any of the Courts of Record of the Kings Maiestie his heires & successors, by A. B. P. J. or otherwise. In which suit no W. or C. shall be admitted, And the third part thereof shall go to the citie, borough, towne, or Lord or Lords of Libertie, where the offence shall be committed or done, And all such leather, shoes, boots, buskins, startups, slippers, pantofles, wares, stuffe, or other things whatsoever, made of tanned leather, or curried leather, which shall be seized by vertue of this Act, & shall be found by the Wriers to be appointed

who shall have the forfeitures.

Leather, &c.

as is aforesaid, or by the Officers or Wardens of the severall Companies aforesaid, to be insufficient, shall be forfeited & distributed as hereafter followeth: Such leather or stufte so seized within the citie of London, or within three miles compass of the same, to be brought to Guild hall in London, there to be prized by indifferent persons, and the value thereof to be divided into three parts, whereof one part to be to the first seisor and seisors of the said unlawfull stufte, and an other part to the use of the Chamber of London, and the other part to be distributed to the poore folkes, as well being within the new Hospitall of Saint Bartholomewes in London, as to such poore householders as shall be inhabiting within the citie of London, or the circuit aforesaid, at the discretions of such persons, as the Mayor of the said city, & foure Aldermen of the same, for the time being, shall appoint for the same. And all such leather, bootes, shooes, wares, stufte, and things made of or with leather, as is aforesaid, which shall be found within any other citie, borough, towne, or place within this Realme, out of the said citie of London, and three miles compass, unlawfully brought, tanned, or curried, as is aforesaid, and shall be seized and tried to be forfeited in manner and forme aforesaid, shall be brought to the common Hall of every such citie, borough, and towne, or to some convenient and open place to be appointed by the Lord of the Libertie, or his Deputie, where no common hall is, there to be prized as is aforesaid: One part of the said value thereof, to be disposed unto the poore, and in other deedes of charitie, in those parts, after the discretion of the Mayor, Bailiffs, Headboroughs, and Lords of Libertites: Another part to be delivred to the Mayor, Bailiffs, and other head officers of any Citie, borough, or towne corporate, to the use of the Communitie of such citie, borough, or towne corporate, and where no such Officers be, then to the Lord or Lords of the Libertie where any such forfeiture shall be committed, or seisure had: And the third part to the seisor or seisors of such leather, stufte, or wares, insufficiently tanned, curried, or brought, as is aforesaid, for his and their paines. 1. Jac. 22.

*Forfeited
ware shall not
be sold to him
that will sell it.*

42 No person to whom any such unlawfull leather or stufte shall be given by this Act, shall give or sell any such leather or stufte to any person or persons that shall sell the same, upon paine that the buyer shall forfeit for everie parcel of such unlawfull leather, or stufte to be sold, contrarie to the true meaning of this clause, xij. s. iij. 1. Jac. 22.

*Officers of
Oxford and
Cambridge.*

43 But this Act, nor any thing therein contained, shall not in any wise be prejudiciall or hurtfull to the Chancelors, Vicechancelors, Doctors, Masters, and Schollers, their Officers, Ministers, Assistants, or Farmers of the Universities of Oxford, and Cambridge, or any of them, of, for, or concerning the authoritie of search of tanned Leather, or any of the forfeitures of the same, which they lawfully had, or might have had before the making of this Act, so as they doe in all things observe such order, in, about, or for searching, sealing, and registering of leather, as by this Act is prescribed and appointed, upon the paines therein contained, any thing herein contained to the contrarie notwithstanding. 1. Jac. 22.

*What shall be
reputed leather*

44 The hides and skins of ore, steere, bull, colw, calfe, deere red & fallow, goats and sheepe, being tanned, or tawed, and everie salt hide, is, shall be, and ever hath bin reputed and taken for leather. 1. Jac. 22.

*Who may en-
quire of and
punish offen-
ders.*

45 All Justices of Assise, Justices of Gaole delivrie, J. of Peace, & Sherwards of Franchises, Leetes, and Lawdales within their severall precincts, jurisdictions, and Liberties, And the Mayor of London, for the time being, within the said Citie, and within three miles compass of the said citie, and all other Mayors, Bailiffs, and other head Officers of cities, boroughs, and townes, within their severall jurisdictions, liberties, precincts, offices, and authorities, shall inquire of all the premises in their Sessions, next or Lawday, and heare and determine the same, and also by their discretions examine all persons suspected to offend this Act, or any parcell

parcell thereof. Where any manor, libertie, or franchise, immediately appertaineth to the King, or his heires or successors, The Steward for the time being of every such manor, libertie, and franchise, shall have the like authorities, powers, iurisdiction, and advantages, and also shall beare and pay all the like paines, penalties, and forfeitures, as are given, appointed, limited, or laid by this Statute to or upon the lordes of liberties and franchises, as in this Statute is expressed. 1. Jac. 22.

46 All currying and dressing of leather, commonly called dry currying, and frizing shall be construed to be dressing and currying of the manner of Spanish leather, of what colour soever it be: And to all Artificers (other than Shoemakers, yearly betwene the last of September, and the twentieth of Aprill) it shall be lawfull to use all kinds of leather dressed and curried in that manner of dry currying and frizing, as they lawfully might before the making of this act, So that the same leather so to be used, be well and sufficiently tanned according to the forme prescribed in this act, And also well and substantially dressed, curried, and frized, in the manner of dry currying and frizing abovesaid. 1. Jac. 22.

Spanish leather.

Dry currying and frizing of leather.

47 This act and every part thereof, shall be construed and adjudged, to extend to Wales, as amply as it doth to this Realme, to all intents. 1. Jac. 22.

48 If any person or persons, shall at any time hereafter procure, or obtaine any grant, or Letters patents, purporting to give licence or authority to any person or persons, to dispence with, or tolerate any offence against any Statute, provision, or article in this act, then and immediately from and after such letters patents, or grant obtained, all and every such clauses, articles, and provisions, so by the said Letters patents, or grant authorized, or licenced to be dispenced with or tolerated as aforesaid, shall be utterly repealed, void, and of none effect, any thing in this act contained to the contrary in any wise notwithstanding. 1. Jac. 22.

49 It is not lawfull for any person to make any pelts, that is to say, to pull, sheare, clippe, or take away the wooll of any sheep skin, or lambeskin, or to buy any skin of any Stag, hind, bucke, doe, or sawne, or kid, or the pelts or skins of any of them unless such person doe make, or cause to be made thereof, tawed, or lawfully tanned leather, or parchment, or otherwise convert the same into Semits, Pannels, or other his owne necessarie uses, upon paine that every person so making pelts, or buying any of the pelts or skins aforesaid, shall forfeit the value of all such pelts and skins made and bought, and two shillings five pence for every skin or pelt. 5. Eliz. 22. 8. Eliz. 14.

Making of Pelts.

50 It shall not be lawfull for any person to lade, ship, or carrie in any vessel or ship, or otherwise, any leather, tallow, or raw hides, of intent to transport the same into any place beyond the Seas, or into Scotland, by land or by seas, upon paine of the forfeiture of the said leather, tallow, or raw hides, so laden or transported, and treble the value thereof, to be forfeited by the owner or owners. And also the owners of the said ships or vessels, knowing of such offence, shall forfeit the said ships or vessels, with all their apparell and furniture to them belonging. And the Masters and Mariners knowing of such offence, shall have imprisonment by the space of one yere, without baile or mainprise, and forfeit all their goods and cattels to the King to be recovered by A. J. 2c. wherein no Warrant. But if any owner of any such ship or vessel, or any Master or Mariner, knowing any such transporting of leather, tallow, or raw hides, shall within three moneths next after his knowledge thereof, or after his returne into this Realme, give good information bona fide, before any of the Barons of the Exchequer, or before the President or Councell in the North, or in the Marches of Wales, or before the head Officer of any Port where he shall first arrive, upon his oath, of the number and quantitie of leather, tallow, and raw hides so transported, & by whom, where, and in what ship or vessel, and afterwards shall be ready upon reasonable war-

Transporting leather, tallow, or raw hides.

Owners of ships.

Mariners.

Leather, &c. Limitation of prescription.

ning by proces, to iustifie and proue the same for the Duene, then such Dwener, Master, or Mariner, shall not forfeit his Ship, nor incurre the forfeitures aforesaid. 18. Eliz. 8.

Buying leather to transport by licence. 51 Every person which hath the R. licence to carrie over sea any tanned leather, may buy in open faire or market, so much as he shall be licenced to transport, so that the said licence be shewed to the chiefe Officer of the said faire or market, which Officer shall write upon the backe side of the licence, how much leather the partie licenced hath bought, and the day, time, and place of buying the same, that hereby it may appeare, how and when every such licence shall be satisfied. 5. Edw. 6. 15.

Transporting of shoes, bootes, &c. 52 No person shall ship or cause to be shipped (to the intent to transport over the Sea, as marchandizes to be sold or exchanged there) any shoes, bootes, buskins, slippers, or slippers, upon paine to forfeit the same to the King, and him that will seize or sue for the same, by A. J. &c. wherein no W. &c. But this Act shall not be prejudiciall to any person for transporting so much of the aforesaid wares, unto the Isle of Man, as is necessarie for the furniture of the R. subjects there. 5. Ed. 6. 15.

Ingrossing of tanned leather 53 If any person do buy or ingrosse any kind of tanned leather, to the intent to sell the same againe (except Sadlers, Cordlers, Corbwinners, and other Artificers making wares of leather, which may buy such kind of tanned leather, as is necessarie for their occupying to be wrought by them) he shall forfeit the same, or the price thereof. But the aforesaid artificers may sell their wombs, thyeds, and neckes which they cannot occupie about their wares. 5. Ed. 6. 15.

Tanned leather shall not be sold by weight. 54 No person or persons, shall utter or sell, or cause to be uttered or sold by weight any kind of tanned leather whatsoever, upon paine of forfeiture of the said leather so uttered and sold, to the R. &c. and J. the said leather, or the value thereof, to be recovered in any of the R. Courts of Record, by A. W. B. or J. &c. wherein no W. &c. or J. shall be allowed. 4. Jac. 6.

1 What Subsidie or custome shall be payd for Leather transported. S. Cu. some 8.9.

2 For the Shipping and Transporting of certaine Leather. See Marchants 4.

Limitation of prescription.

Writ of right. No person or persons shall sue, have or maintaine any writ of right, or make any prescription, title, or claime, to or for any manors, lands, tenements, rents, annuities, commons, pensions, portions, ceases, or other hereditaments, of the possession of his or their aunces or predecessors, and declare and alleadge any further seisin or possession of his or their aunces or predecessors, but onely of the seisin or possession of his aunces or predecessors, which hath bin, or now is, or shall be seized of the said manors, lands, &c. or other hereditaments, within fiftie yeares next befoze the Telle of the same writ, or next befoze the said prescription, title or claime, so sued, commenced, brought, made, or had. 32. H. 8. 2.

60. peres.

Actions possessorie.

2 No person or persons, shall sue, have, or maintaine, any Assise of Mordancester, Cosinage, Aiel, writ of Entre upon Disseisin, done to any of his aunces or predecessors, or any other action possessorie upon the possession of any of his aunces or predecessors, for any manors, lands, tenements, or other hereditaments, of any further seisin or possession of his or their aunces or predecessors, but onely of the seisin or possession of his or their aunces or predecessors, which was, or hereafter shall be seized of the same manors, lands, tenements, or other hereditaments

taments, within 50. yeares next befoze the Telle of the original of the same writ to be brought, &c. 32. H.8.2.

3 No person nor persons shall sue, have, or maintaine, any action for any manors, lands, tenements, or other hereditaments, of, or upon his or their owne seisin or possession therein, above 30. yerres next befoze the Telle of the original of the same writ to be brought &c. 32. H.8.2.

4 No person nor persons shall make any auowzie or cognisance, for any rent, suit, or service, and alleadge any seisin of any rent, suit, or service in the same auowzie, or cognisance, in the possession of his or their auncestors, or predecessors, or in his owne possession, or in the possession of any other whose estate he shall pretend or claime to haue, above 50. yerres next befoze the making of the said auowzie or cognisance. 32. H.8.2.

5 All Formedons in reuerter, Formedons in remainder, and Scire facias upon fines of any manors, lands, tenements, or other hereditaments, shall be sued and taken within fiftie yerres next after the title and cause of action fallen, and at no time after the said fiftie yerres passed. 32. H.8.2.

6 If any person or persons at any time doe sue any of the said actions or writs, for any manors, lands, tenements, or other hereditaments, or make any auowzie, cognisance, prescription, title, or claime, of, or for any rent, suit, service, or other hereditaments, and cannot proue that he or they, or his or their auncestors or predecessors, were in actual possession or seisin, of, or in the same manors, lands, tenements, or hereditaments &c. at any time within the yerres befoze limited in this Act, and in manner and forme as is aforesaid, if the same be traucted or denied by the partie plaintife, demandant, or auowant, or by the partie tenant or defendant: Then and after such triall therein had, all and euery such person and persons and their heires, shall from henceforth be utterly barred for euer, of all and euery the said writs, actions, auowzies, cognisance, prescription, title, & claime hereafter to be sued, had, or made, of, and for the same manors, lands, &c. or other the premises, or any part of the same, for the which the same action, writ, auowzy, cognisance, prescription, title, or claime, shall be at any time had, sued or made. But if any false verdict happen to be giuen or made in any of the said actions, suits, auowzies, prescriptions, titles, or claines, When the partie grieved by reason of the same, shall and may haue his Attaint upon euery such verdict so giuen or made, and the plaintife in the same Attaint, upon iudgement for him giuen, shall haue his recouerie, execution, and other advantage in like manner and forme, as heretofore hath bene vsed & accustomed: any thing &c. notwithstanding. 32. H.8.2.

7 But the former Act made Anno 32. H.8. or any matter therein contained, shall not extend to any writ of Right of aduowson, Quare impedit, or Assise of Darrein presentment, nor Lure patronatus, nor to any writ of Right of ward, writ of rauishment of Ward, for the wardship of the bodie, or for the wardship of the lands, tenements, or hereditaments, holden by Knights seruice, nor to the seisor of the wardship of the bodie of any ward or wards, nor to the seisor or wardship of any lands &c. holden by Knights seruice: But euery person and persons, bodie politique and copporat, their heires and successors, shall and may haue and pursue all and singular the said writs of Right of aduowson, Quare impedit, assise of Darrein presentment, Lure patronatus, writs of Right of ward, rauishment of ward, and also seise the wardship both of the bodie and of the lands &c. holden by Knights seruice, in like manner to all intents, as they or any of them should or might haue done befoze the making of the said act made 32. H.8. Anno L.M.5.

his owne seisin.

30. yeares.

30. yeares.

Formedon.

50. yeares.

Barre for default of seisin within the time of limitation.

Attaint upon false verdict.

Right of aduowson.
Assise of Darrein presentment.

ward.

Linnen Cloth. Liuerie and Ouster le maine.

Linnen Cloth.

The contents
of Dowlas
& Lockram

If any person English or Stranger, Denizen or Alien, doth put to sale any whole péece, or halfe péece of Linnen Cloth called Dowlas or Lockram, vnlesse there be mention expessed vpon euery of the said whole péece, or halfe péece so put to sale, the whole number of the yards or elnes that is contained in the said whole péece, or halfe péece, he shall forfeit the said whole péece, or halfe péece, to the R. and him that will seize and sue for the same by A. 3. 4c. or otherwise, wherein no W. 4c. C. 4c. 28. H. 8. 4.

Stretching
or impairing
of Linnen
Cloth.

2 If any person do wittingly cast or cause to be cast, any péece of Linnen cloth ouer a beame or péece of timber, and doth by any deuise, cacke, stretch, and vayne the same of length and breadth, and then doth with battled ors, péece of timber and wood, beat the same, and cast thereupon any deceitfull liqours mingled with chalke or other like things, or doth wittingly vse, or cause to be vied, any other act or mean to, in, or with any kind of linnen cloth, whereby the same shalbe deceitfull or worse, to and for the good vse thereof: then he shall forfeit his said cloth to the R. and R. and suffer one moneths imprisonment at the least, and pay such fine as shall be assessed by the Iustices, befoze whom he shalbe condemned. 1. El. 12. S. Iust. of P. 61.

Liuerie and Ouster le maine.

The R. shall
haue primer
seisin.

The R. shal haue primer seisin after the death of those which hold of him in chief, of all the lands and tenements whereof they were seized in their demeneas as of fee, of what age soeuer their heires be, by taking the issues of the same land, vntill inquisition be made, as the custome is, and that he hath receiued the homage of such heires. Prerog. Reg. 17. E. 2. 3. Marl. 52. H. 3. 16.

In heire en-
tering into
lands holden
of the R. with
out liuerie.

2 When any person which holdeth of the R. in Capite doth die, and his heire doth enter into the land that his auncestor held of the R. the day of his death befoze he hath done homage to his grace, and receiued of him seisin, he shall thereby gaine no freehold, and if he die seized during the time, his wife shall not be endowed of the same land. But this is not meant of forage and small tenures. Prerog. Reg. 17. Ed. 2. 13.

The heir of
full age found
within age.

3 If it be found for the R. 4c. that the heire or heires of his tenant or tenants is or be within age, where indeed such heire or heires is or shall be at the same time of full age, or of a more or greater age then is contained within such office: In euery such case such heire or heires shall and may at his or their very full age or after, prosecute a writ of Actate probanda, and sue his or their Liuerie or Ouster le maine, as his or their case shall lie, and haue the profits of his or their lands &c. from that time of his or their very full age: any such vntrue office, or any law or custome notwithstanding. 2. E. 6. 8.

Liueries be
to the order of
the Court of
Wards.

4 All liueries to be sued out of the R. hands, his heires and successours of any lands, tenements, rents, reuerfions, remainders, or other hereditaments whatsoever, shall be in the order, suruey and gouernance of the Court of Wards and Liueries, and the ministers of the same. And the Spasler, Surueior, Attorney, and generall Receiver of the said Court, or thre of them (whereof the Spasler or Surueior to be one) shall haue authoritie after offices and inquisitions found, to couenant and indent with euery person for his liuerie of the lands, tenements and hereditaments, comprised or not comprised in such offices, and to set, and rate the price for the same, and to appoint the daies of payment thereof, by Obligation or Obligations taken for the same to the King, which Obligations so made, and euery of them, shall be good and effectual in law, and of like strength, as writings obligato

obligatorie made by any lay person, by authoritie of the statute of the Staple, bin ought to be. And all and singular bills for any speciall or generall linerie to be sued, assigned by the hands of the said Passer, Surueior, Atturney, Receiuer, or thre of them, whereof the Passer or Surueior to be one, shall be a good and sufficient warrant to the Chauncelour of England, and of the Duchie of Lancaster, and all other Chauncelours and Officers, hauing power to passe lineries vnder any of the R. Seales, for the making out, sealing and delinerie of any lineries, according to the purport and effect of such bills with other clauses of course necessarie for the same. 33. H. 8. 22.

Warrants to passe lineries.

5 No person hauing lands or tenements aboute the yearely value of v. l. shall haue or sue any Linerie before office found before the Escheator or other Commissioner &c. by vertue of the Kings writ or Commission &c. directed out of the Chauncerie or any other Courts &c. which writs or commission shall not passe out of the Chauncerie, or any other Courts hauing authoritie to make such writs or commissions, but by a warrant or bill assigned and subscribed with the hands and names of the Passer, Surueior, Atturney, and Receiuer of the Court of Wardes and Lineries, or thre, two, or one of them, to be directed and deliuered to the Chauncelour of England, or to any other Chauncelour or officer, hauing power to alward such writs. 33. H. 8. 22.

No linerie of lands to the yearely value of v. l. before office.

Warrants for writs to find offices.

6 But euerie heire which is in case to sue linerie, where his lands and tenements exceed not the yearely value of v. l. shall lawfully sue forth his generall linerie by warrant made from the Court of Wardes and Lineries, although there be no other inquisition thereof had nor certified, and shall pay the fees of euery such linery as be hereafter expessed for the fees of a generall linerie, not exceeding the yearely value of v. l. as though the same linerie were made and sued forth vpon an office found by vertue of the R. writ. 33. H. 8. 22.

Generall linerie without inquisition.

7 Euery person may sue at his pleasure a generall linerie after office thereof by writ or commission found, returned and certified for any manors, lands, tenements, rents, reuerfions, remainders, or other hereditaments, whereof the clere yearely value doth not exceed xx. l. the value of which lands &c. shall be taken as is limited in the Offices found thereof (except by the examination and certificat of the said Passer, Surueior, Atturney, and Receiuer General, or thre of them, if shall otherwise appeare, and be declared in any of the Kings Courts.) But no such Linery shall be sued or passe, without a bill or warrant first obtained for the same from the said Passer, Surueior, Atturney, or Receiuer, and signed and subscribed with the names and hands of them, or thre of them, as is aforesaid. 33. H. 8. 22.

A generall linerie of lands not exceeding xx. l.

8 If the lands, tenements, or hereditaments, whereof a generall linerie may be sued by this Act, exceed the clere yearely value of v. l. then such as shall sue, and haue such generall Linerie, shall pay for the seale thereof twentie shillings foure pence, and all other such fees as heretofore in such cases haue bin accustomed vpon the suing of any generall Lineries. And if the lands, tenements, &c. whereof any such generall linerie shall be sued, exceed not the clere value of v. l. then euery person suing for any generall linerie, shall pay for the seale of euery such linerie xij. s. and to the Clerkes of the petit bagge for the writing and enrolling thereof xx. s. and for respite of Homage in the Chanaper viij. s. and to the Lord Great Chamberleine xx. s. and to the Clerke of the Lineries for the warrant and enrolling of the linerie twentie pence, and to the Passer of the Rolles xx. s. and none other fees. 33. H. 8. 22.

The fees of a general linery.

9 Euery person to whom the King shall graunt any Linery, to be sued vpon his bill assigned thereof with the Kings hand, or with the hands of the Officers of his Court of Wardes and Lineries, shall sue forth his patent within thre moneths

within what time a linerie shall be sued forth.

next

Livirie and Ouster le maine.

next after the assignement of the said bill, or else the same bill and the effect thereof shall be void. 33. H. 8. 22.

Livirie shall be inrolled.

10 Every Ward having his livirie, shall within six moneths next after the livirie had, bring the same to the Auditors of the Court of Wards &c. or to one of them, to have the same there inrolled for the discharge of the landes against the la. according to the tenour of the said livirie, and shall pay for the inrolment thereof such reasonable summe of money, as shall be appointed by the Master of the Wards &c. so that it exceed not 10s. 32. H. 8. 46.

Where the owner shall have his lands with the issues.
Amoucas manum cum exitibus.

11 If the Escheator or Escheator do seize any lands into the Kings hands, where there is no cause of seizure, and after the same lands be delivered out of the Kings hands for the same cause, the issues also shall be fully restored to him who hath the land, and which hath sustained the losse. Artic. super Chartas 28. Edward. 1. 19.

12 If by Enquests taken by Escheators by any Writs sued out of the Chancery, and returned, if it be found, that nothing is holden of the King, whereby he ought to have the Ward of such lands, by reason of the Enquests taken by his Escheators, immediately the Escheators shall be commaunded by the Kings writ directed out of the Chancery, to deliver their hands, and put from them all the lands and tenements so seized, into the Kings possession. And if they have taken any profits of such lands &c. they shall make full restitution to him or them to whom it was found by Enquests, that such lands ought to remaine from the time that such lands fell into the Kings hands. But if, after the Escheators have discharged their hands by force of the Kings Writ, any thing happen to be found in the Chancery, Eschequer, or any other of the Kings Courts, whereby the Wardship of such lands, whereof the Escheators have discharged their hands, should belong unto the King, immediately he, in whose hands such lands shall happen to be, shall be summoned to be before the King at a certaine day wheresoever &c. to shew if hee can say any thing, wherefore the King ought not to have the Wardship of such lands, according to the forme of the Evidences or Remembrances found for him. And if hee come in and shewe why the Ward of such landes doth not or ought not belong unto the King, but that it ought to remaine to himselfe, hee shall goe quite, and retaine to the Wardship: But if the partie warned doe not come, or doth come and can say nothing, why the King should not have the Wardship, immediately the lands shall be resealed into the Kings hands by reason of Wardship, to be kept untill the full age of the heire of the same. And if it be found by the Enquests taken by the Escheators, and returned, that the custodie of the same lands, contained in the inquisitions, and seized into the Kings hands, ought not to remaine unto the King, the Escheator shall be commaunded forthwith to discharge his hands thereof, and to restore the whole issues. And in like sort, if it be found by evidence and remembrances in the Chancery, Eschequer, or otherwise, that the King ought to have the custodie of them, his Pleistis shall be answered the whole issues thereof at their hands, which held the same lands from the time they were first taken into the la. hands by the Escheators by the force said writs. 29. E. 1. Stat. de Escheatoribus.

Refiler.

Means rates.

13 If an escheator or other Minister hath seized to the Kings use any Cities, Boroughes, Townes, Manors, Hundreds, Franchises, Mills, Herbage, Toll, Pless, and Perquisites of Courts, or other lands, or tenements, whereof profit riseth from time to time through the yeare, and after hath made Livirie thereof to the heire by the Kings Commaundement out of the Chancery, before the terme of payment be come, yet he shall be charged to answer the King for the rate and portion of the time, according to the auncient course of the Eschequer. But auncient farmes and rents which be to be paid at certaine termes, as Rent secke, and Rent service, whereof no profit riseth untill the day of payment, shall be payed to them

them which haue liuerie out of the Kings hands, at the day of payment of the same farmes and rents which doe ensue such liuerie. 28. Ed. 3. 4. S. Escheators, Office, Trauerse, Wards.

Liueries and Retainers.

If any person shall giue any Chaperons, Hats, or such like Liueries to any man, for maintenance of quarrels, or other confederacies, hee shall forfeit C.s. for euerie such liuerie: And he which receiueth such liuerie, shall forfeit xl.s. 1. R. 2. 7. H. 4. 14. 13. H. 4. 3. 8. H. 6. 4. 8. E. 4. 2.

Giuing of liueries for maintenance.

2 If any person of his owne authoritie and proper costs, doe buy or weare for his clothing any Clothes, or Hats, called Liueries, of the sort or suit of any Lord, Ladie, Knight, Esquire, or other person, to haue suppoztation, succour, or maintenance in any quarrell, or in any other manner, and bee thereof lawfully conuict, hee shall forfeit fortie shillings, and bee one yeare imprisoned. 8. H. 6. 4. 8. Ed. 4. 2.

wearing of liueries for maintenance.

3 If any which is a Knight or Esquire meniall of the Kings, or which is of his retinue, to whom his Maiestie shall giue his honourable Liuerie, doe weare his said Liuerie in the Countrie or Countie, where he is resident or dwelling, or in any other place of the Realme out of the Kings presence (sauing in going or coming from the Kings house) and is thereof duely attainted, he shall loose his liuerie, and forfeit his fees for euere. 1. H. 4. 7.

wearing the K. liuerie.

4 No congregation or companie shall make any Liuerie of Cloth, or of Hats at their owne costs, vpon paine that euerie one of the same congregation or company shall forfeit fortie shillings (except Guildes and Fraternities, and also people of Arts and Sciences, within Cities and Boroughes, which be ordained to a good intent) 7. H. 4. 14.

Companies.

5 No person by himselfe, or any other for him, shall giue any liuerie or badge, or retaine any person other then his meniall seruant, officer, or learned man in the one law, or in the other, by any writing, othe, or promise, and if any doe the contrary, he shall forfeit for euerie such liuerie or badge giuen C.s. And hee which doth retaine or take of an other such othe, writing, or promise, or is retained by Indenture, shall forfeit C.s. for euerie moneth that any person is so retained with him by othe, writing, Indenture, or promise. And euerie person which is retained by writing, Indenture, othe, or promise, for euerie moneth that he is so retained, shall forfeit C.s. to the K. and A. And euerie person that will sue against any other for any offence committed contrary to this Statute, or any other of the premises before the K. Iustices in his Bench, before the Iust. of the Common Pleas, Iustices of peace in their Sessions, Iust. of Oyer and Terminer, and Gaole deliuerie, Iust. of the Countie Palantine of Lancaster and Chester, and in the Court of Heremshire, and in the court of the Bishop of Durham in the Countie Palantine of Durham, shall be admitted thereunto by the discretion of the said Iudges, to giue information for the King of any of the premises, committed within the iurisdiction of the same Courts. And euerie informer shall be admitted to sue for the K. and himselfe, action or actions vpon the same by Information in any of the said Courts, against as many such offenders in one Bill of information, as liketh him, which information shall be in stead of a Bill or Originall Writ, wherein such proces shall be awarded, as in an Originall Writ of Trespasse against the peace (but that in the Countie Palantine of Lancaster and Chester, nor in Duresme, no erigent shall be awarded vpon any Information, Suit, or Proces, to bee made by force of this Ordinance, and if any be, or any Outlawrie thereupon pronounced, the same shall be void without any writ of Error.) Any if any of the offenders be present in any of

Giuing or taking of liueries or badges and retaining

In what courts the Informer may prosecute his suit.

Liueries and Retainers.

of the said Courts, any of the Iustices may command him to be brought to answer to such bill, upon such information (by an othe first to be taken upon a booke by such Informer, before some one of the Iudges, that his complaint is true) without any other or further proces therein. And euery of the same Iudges within his iurisdiction, may by his discretion examine euery of the defendants upon such information, and iudge him conuict, as well by examination as by triall. And the R. shall haue the one halfe of the forfeiture (if it be not in a Citie or towne Corpozat, that hath the same by the Kings ec. graunt) and the Informer the other halfe, which also shall recouer his costs by the Iudges discretion, and execution thereof, as in reconeries upon debt, or trespassse, wherein no C. P. ec. 8. E. 4. 2.

It what time and by whom giuing of Liueries is lawfull.

6 But this Act extendeth not to any gift, grant, or confirmation made of any Fee, Annuitic, Pension, Rent, Lands or tenements, by the King, or any others, to any other person or persons for their counsell giuen, or to bee giuen, or for their lawfull seruice done, or to be done (and for no other vnlawfull cause or vnlawfull intent) although the person to whom such gift, graunt, or confirmation is made, be not learned in the one Law, or the other. Neither doth it extend to any Liuerie giuen at the Kings or Quenes Coronation, or at the instalment of any Archbishop or Bishop, or erection, creation or marriage of any Lord or Ladie of Estate, or at any creation of any Knight of the Bathe, or at the commencement of any Clerke in any Vniuersitie, or at the creation of Sericants of the law, or giuen by any Fraternitie, Guild, or Mysterie Corpozat, or by the Mayor, Sheriffe, or other chiefe Officer of any Citie, Borough, Towne, or Port of this Realme of England, for the time being, during that time, for the executing of their office or occupation: For to any Liueries or Badges giuen in the defence of the King, and of this Realme: For to the Constable or Marshal, for giuing any Badge, Liuerie, or token, for any feats of Armes to be done within this Realme: For to any Wardens of the Marches towards Scotland, for any Liuerie, Badge, or token by them giuen from Trent Northward, at such time onely as shalbe necessaries to leuie people for the defence of the Marches. 1. H. 4. 7. 8. E. 4. 2.

The R. officers shall not be retained with others, nor shall retain his tenants.

7 If any Steward, Auditor, Receiver, or Bailife, of any of the Kings Honours, Lordships, Manors, Lands, and Tenements, Constable, or keeper of any of his Castles, Warden, Master of Game, Parks keeper, or any other Officer of any of his said Forrests, Chases, Parkes, or Warrens, shalbe vnlawfully retained with any person, or retaine any man dwelling within any of the said Honours, Lordships, Manors, Lands, and Tenements, contrarie to any Act, or ordinance before this time made: Or suffer any man dwelling within the same Honours, Lordships, &c. to be vnlawfully retained with any other man or person, what degree, or condition soeuer he be of, and shew it not to the king within fortie daies next after he haue knowledge thereof, and how, and with whom he is so retained: Or if any of the said Officers conuey any of the said tenants, inhabitants, or farmours to the R. to any field, assemblie, or rout, otherwile then by the Kings commandement, to doe him such seruice as he shalbe commanded, and that alway in the Kings Liuerie and signe, with a cognisance of him which so conueieth them by the R. commandement: Or if such Officer come not to the R. in the time of trouble, or war, when he thereunto shalbe commanded, hauing no reasonable excuse to the contrarie, All graunts then made or had to him, of any of the said Offices by the King, or by any of the Kings Wogenitoys, or predecessours, shall be utterly void, and of none effect. 3. H. 7. 12.

The R. Officers at his commandment.

The R. tenants shall not be retained with any other.

8 If any Farmour or Tenant within any of the same Honours, Lordships, Manors, Lands, and Tenements, be retained with any person or persons, contrarie to the Statutes, by liuerie, signe, token, or othe, indenture of promise, or to go to any field, gathering, or assembly, in any mans liuerie, signe, or token, but onely in the

the *li. livery* and signe, and to serve him onely, and where he shall be commanded by the King, All graunts and leases to him made for terme of yerres, or at will, of lands, tenements, rents, or other possessions, being parcel of any the said Honors, Lordships, Manors, Lands, and Tenements, shall be then utterly void, and of none effect. 3. H. 8. 12.

It appeareth by one Proclamation of the iij. day of Ianuarie, Anno 14. Eliz. and by one other of the xix. of Aprill, Anno 25. of her raigne, made against Retainers, That her Graces pleasure is, that the foresaid Stat. of 3. H. 7. amongst other statutes provided against vnlawfull Retainers, should be duely observed and executed. But conferre this Stat. of 3. H. 7. with the statutes made 11. H. 7. 18. & 19. H. 7. 1. which were provided to auoid the like inconueniences that this was, and penned in such maner as this is: And the, whether this Stat. was provided to be perpetual, or made only to continue during the life of K. H. 7. as generally men do think the other two Statutes were. Q. Vide Dier fol. 211.

1. What issues shall be returned vpon any person in an Information sued vpon the statute made against giuing of Liveries, S. Returne of Shirifes 10.

London.

Every person and persons whatsoever, being free of the Citie of London, which know hath, or hereafter shall have any debt or debts owing unto him, or them, not amounting to xl. s. by any debto; or debto; inhabiting in London, or within the Liberties thereof, shall or may cause such debto; or debto; to be warned or summoned by the Beadle or Officer of the Court of Requests for the time being, to appear before the Commissioners of the said Court, holden in the Guild Hall of the said Citie. And the Commissioners, or the greater part of them shall from time to time set downe such order or orders, betwene such partie or parties plaintife, and his or their such debto; or debto; defendants, touching such debts, not exceeding the value of xl. s. in question before them, as they shall find to stand with equitie and good conscience. All such their order or orders to be registered in a booke, as they have bene accustomed, and as well the partie plaintife, as the debto; or defendant, to observe and keepe the same in all points. 1. lac. 14.

Others be, tworne the credito; and debto; in London.

2. If any such Defendant or Debto; shall, after warning giuen him, her, or them by the said Officer of the said Court for the time being, refuse, or neglect to make his apparance in the said court of Requests, before the Commissioners for the time being, at the time appointed: Or if any partie, plaintife, or defendant, shall not performe such order as the said Commissioners shall set downe, then it shall be lawfull for the said Officer of the said court, or any of the Sericants at Place of the said Citie, by order of the Commissioners of the said Court for the time being, or of the greater part of them, to commit such partie or parties to prison into one of the Counters of the said Citie, there to remaine, untill he or they shall performe the order of the same Commissioners, or of the more part of them, in that behalf made. 1. lac. 14.

Not appearing before Commissioners or not performing their orders.

3. If any person or persons whatsoever, being free of London, and there inhabiting, shall hereafter for any debt, not amounting to xl. s. sue any person or persons whatsoever, being Citizen or Freeman of London, dwelling within the said Citie, or the Liberties thereof, in any of the *li. Courts at Westm.* or elsewhere out of the said Citie, euerie such defendant shall be free from paying to the plaintife the costs and charges due to him for the said suit. And the same plaintife shall pay so much ordinarie costs to the partie defendant, as such defendant shall iustly paye before

Londoners suing for xl. s. out of the citie

Merchants and Merchandizes. Mainprise &c.

Refusing to
performe the
Commissioners
orders,

the Commissioners in the said Court, or the greater part of them, it hath truly cost him in defence of the said suit. And if such person or persons plaintife, shall after warning given him or them, or to his or their Attorney or Attornies in the said suit, by the said Officer of the Court of Requests, refuse to appeare in the said court before the said Commissioners, being thereunto warned by the Officer of the said Court, or to satisfie to the defendant so much as shall be proved before the said Commissioners, and by them assessed, as abovesaid: Or if the said plaintife or defendant shall not performe such order, as the said Commissioners, or the more part of them, shall set downe for his or their debts, or other controuersies, not exceeding xl. s. Then it shall be lawfull for the said Officer of the said Court, or any other of the ser-
uants at the place of the said Citie, by order of the said Commissioners, or the greater part of them, to commit such partie or parties to prison, into one of the Counters of the said Citie, there to remaine, vntill he or they shall performe the order of the commissioners in that behalfe. 1. Jac. 14.

Debt for rent

Testaments.
Matrimonie.

4 But this Act shall not extend to any debt for any rent, vpon any lease of lands or tenements, or other reall contract, nor to any other debt that shall arise by reason of any cause concerning testaments or matrimony, or any thing concerning or properly belonging to the Ecclesiasticall Court, albeit the same shall be vnder xl. s. Any thing before contained to the contrarie notwithstanding. 1. Jac. 14.

Mainprise and Baile.

Who are not
mainpernable

No prisoner shall be let to mainprise, which before was outlawed: Nor he which hath abiured: Nor any approuer: Nor he which is taken with the manner: Nor he which hath broken the Kings prison: Nor a theefe openly defamed, and knowne: Nor he which is appealed by an approuer, so long as the approuer doth live, except he be of good name: Nor he which is taken for burning of a house feloniously done, or for false money, or for counterfeiting the Kings seale: Nor any excommunicat person, taken at the Bishops request: Nor he which is taken for a manifest offence, or for treason touching the King. West. 1.3. Ed. 1.15. And by the same statute if both appeare, that he which was taken for the death of a man by the Kings commandement, or his Just. or for the forest, was not repleuisable by the Common Law.

Where main-
prise is allow-
able.

2 But such as be indicted of Larceny by enquests taken before Shyriks or Bailifes by their Office, or of light suspicion, or for petit Larcenie, that amounteth not above the value of cy. v. if they were not guiltie of some Larcenie before, or guiltie of receit of theues or felons, or of commandement of force, or of aid in felonie done, or guiltie of some other trespassse, for which one ought not to lose life, or member, And a man appealed of an approuer, after the death of the approuer, if he be no common theefe, nor defamed, shall be let out by sufficient suretie, whereof the Shyrike will be answerable, and that without giuing any part of their goods. W. 1. 3. E. 1. 15.

Bailment by
the Shyrike of
one not bail-
able.

3 If the Shyrike or any other let one goe at large by suretie, which is not repleuisable, if he be Shyrike, Constable, or any other Bailife of sixe, which hath the keeping of prisoners, and is thereof attainted, he shall lose his sixe and office for ever: and if the Under shyrike, Constable, or Bailife of such as haue sixe for keeping of prisoners, doe it contrarie to the will of his master, or any other Bailife, being not of sixe, they shall haue thre yeres imprisonment, and make fine at the Kings pleasure. W. 1. 3. E. 1. 15.

Bailment by
Justices of
one not bail-
able,

4 If any Justices of peace doe let to baile or mainprise any person, which for any offence by him committed, is declared not to be repleuisable or baileable, or for-
bidden

bidden to be repleuised by the foresaid Statute of 3.E.1. the said Iustices so offending, shall pay such fines, as the Iustices of Gaole Delinerie of the Shire, Citie, or Towne where the offence shall be committed (upon due prowe thereof by examination before them) shall asseste: But the Iustices of Peace, and Coroners within London and Middlesexe, and in all other Cities, Boroughes, and Townes Corpozat within this Realme and Wales, haue authoritie to let to baile felons and prisoners, as they haue bene heretofore accustomed. 1.& 2.Ph.& Ma.13. And in like sort shall Shirifes, or any other be punished by the Iustices of Gaole Delinerie, according to the forme of the said Stat. of 3. Ed. 1. which do let to baile or mainprise any persons forbidden to be repleuised by the said Statute. Statutum de Finibus &c. 27.E.1.

5 The Marshals of the Kings Bench shall not baile any felons, but shall keepe them in prison, and shall not suffer them to goe wandring abroad, by baile, nor without baile. And if any such prisoner be found wandring out of prison, by baile, or without baile, and that be proued at the Kings suit, or the parties: The Marshals which shall be found guiltie thereof, shall haue halfe a yerre imprisonment, and be ransomed at the Kings pleasure. And if the Marshals suffer the prisoner to escape by their assent, they shall bee at the Law, as before time they haue bene. 5.Ed.3.8.

6 Whosoever doth withhold prisoners repleuisable after they haue offered sufficient suretie, shall pay a grievous amerciamento to the King, and he that doth take any reward for the deliuerance of such, shall pay double to the prisoner, and also a grievous amerciamento to the King. W.1.3.E.1.15.

Withholding of prisoners repleuisable, or taking of reward to deliuer them

1 For the bailement of prisoners by Iustices of peace, taking & certifying their examinations, and binding others to giue euidence against them. S. Iustices of peace 107.

2 Who may be let to baile or mainprise by any Shirife, & who not. S. Shirifes. 8.

3 Where he shall be let to mainprise which is indicted of murder at the K. suit, and acquitted. S. Murder 3.

4 Euerie Shirife in Wales may put suspected persons vnder commo mainprise, and what fee he shall take for the same. S. Wales 46.47.

5 They which be taken for Redisseisin be not repleuisable by a common writ. S. Redisseisin 3.

Maintenance, Champertie, Embracerie, and buying of titles.

If any of the Kings Counsellors, Officers, or seruants, or any other person whatsoeuer, by sending of letters, or other wise doe take or sustaine any quarrell, by maintenance, in the country or elswhere, they shall be grievously punished in forme ensuing, that is, The said Counsellors and a. great officers, shall incurre such paine, as shall be assested by the K. Paletie, by the aduice of the Lords of the Realme, And other lesse officers, and seruants of the K. in the Exchequer and other Courts, and his ordinarie household, shall lose their offices and seruices, be imprisoned, and also pay a fine at the K. pleasure after euerie of their degrées, estates, and defects, And all other persons shall be imprisoned, and pay fines at the Kings pleasure. 1.E.3.14.1.R.2.5.

Maintenance by the Kings Officers.

2 If any Clerke of the Kings, or of any Iustice, doe receiue the presentment of any Church, for the which any plee or debate is in the Kings Court, without the Kings speciall licence, he shall lose the Church and his seruice. And if any Iustice or Shirifes Clerke, take part in any quarrell or matter depending in the Kings Court, or doe worke any fraud, whereby common right may be delayed, or disturbed,

Clerkes taking presentment, or part in quarrels.

Maintenance, Champertie, Embracerie, &c.

bed, hee shall lose his service, and be further punished if the trespassie doe require.
West. 1. 3. E. 1. 28.

Maintenance
in inquirie of
Riots.

3 If any Riot, Rout, or unlawfull assemblie be committed, and the Justices of Peace, or two of them doe thereof make inquirie, according to the Statute, for that cause provided, 13. H. 4. and the said Riot &c. is not found by the Jurie, by reason of any embracerie or maintenance of the said Jurors, then every person duly proved to be a maintainer or embracer of the same, shall forfeit to the King 10 l. and be committed to ward, there to remaine by discretion of the Justices. 19. H. 7. 13. S. Riots 15.

Maintenance
of suits.

4 No person or persons whatsoever shall unlawfully maintaine, or cause, or procure any unlawfull maintenance in any action, suit, demand, or complaint in any of the Kings Courts, of the Chancery, Starre Chamber, White Hall, or elsewhere within any of the Kings Dominions of England, or Wales, or the Townes of the same, where any person or persons have authoritie by vertue of the Kings Commission, Patent, or Writ, to hold plee of land, or examine, hear, or determine any title of lands, or any matter of witnesse concerning the title, right, or interest of any lands, tenements, or hereditaments, or shall unlawfully retaine for maintenance of any Suit or Plee, any person or persons, or embrace any freeholders or Jurors, or suborne any witnesses by letters, rewards, promise, or by any other sinister labour or meanes, for to maintaine any matter or cause, or to the disturbance or hindrance of Justice, or to the procurement or occasion of any manner of perjurie, by false verdict, or otherwise, in any of the Courts aforesaid, upon paine of forfeiture for everie such offence 10 pounds to the King and 5. to be recovered by A. J. &c. wherein no W. &c. C. W. &c. if the suit be commenced in any of the Kings Courts, within one yere next after any such offence committed, or else not. 32. H. 8. 9. S. Perjurie 1. &c.

Embrace
Jurors.
Suborne
witnesses.

Champertie.

5 No Officer of the Kings, nor other person whatsoever, shall take upon him to maintaine any matter depending in suit, to have part of the thing in plee, or other profit, Westminster. 1. 3. Ed. 1. 25. Neither shall any person upon such consideration, or covenant, depart with his right to another, and if any doe, and thereof be attainted, the taker shall forfeit to the King so much of his land and goods as the value of the thing in such suit taken for maintenance doth amount unto. And whosoever will, shall be received to sue for the King before the same Justices, before whom the suit was depending, and by them the iudgement shall be given: but a man may take the counsell of those that be pleaders of the law, and learned men for his sex, or of his next friends. West. 2. 13. Ed. 1. 49. 28. Ed. 1. 11. And if any person do take upon him for maintenance, champertie, or the like bargain, any manner of suit or plee against another, and is attainted of such assumption, suit, or bargain, or of consent thereto, he shall be three yerres imprisoned and further punished at the Kings pleasure. 33. Ed. 1.

The punish-
ment of cham-
pertors.

Champertors

6 Champertors be they that move plees and suits, or cause to be moved, either by their owne or others procurement, and sue them at their owne costs, to have part of the lands or gaines in variance. 33. Ed. 1. An Embracer is he which cometh to the barre with the partie, and speaketh in the matter, and is there to suruey the Jurie.

Embracer.

Buying of
titles.

7 No person nor persons shall bargain, buy or sell, or by meanes obtaine, get, or have any pretended rights or titles, or take promise, graunt, or covenant to have any right or title, of any person or persons, in or to any manors, lands, tenements, or other hereditaments, but if such person or persons which shall so bargain, give, grant, covenant, or promise the same, their ancestors, or they by whom he or they claime the same, have bene in possession of the same, or of the reversion or remainder thereof, or taken the rents, or profits thereof, by the space of one whole yere next

next before the said bargain, covenant, grant, or promise made, upon paine that he that shall make any such bargain, sale, promise, covenant, or grant, shall forfeit the whole value of the lands, tenements, or hereditaments so bargained, sold, promised, covenanted, or granted, contrary to the forme of this Act: And the buyer or taker thereof knowing the same, shall also forfeit the whole value of the said lands, &c. so by him bought or taken as is abovesaid, to the R. and J. to be recovered by A. J. &c. wherein no W. C. P. J. &c. if the suit be commenced in any of the R. Courts within one yeare after the offence committed, or else not. 32. H. 8. 9.

8 But it is lawfull to any person being in lawfull poss. by taking of the perye of farme, rents, or profits of any lands, tenements, or hereditaments, to buy, obtaine, get, or haue by any reasonable meanes the pretended right or title of any other person or persons to be made so, of, or in such lands, &c. whereof he shall be in lawfull possession. 32. H. 8. 9.

9 The Justices of Assise of every circuit within this Realme, and elswhere within the R. Dominions, shall in every Countie within their circuits, two times in the yeare, viz. in the time of their sittings for taking of Assises, or deliuerie of the Gaolles, cause open proclamation to be made, as well of this present Act, and euery thing therein contained, as also of all other Statutes heretofore made against vnlawfull Maintenance, Champertie, Embacerie, or vnlawfull Retainors, To the intent that no person hearing the same should be ignorant or miscongnisant of the damages, and penalties therein contained. 32. H. 8. 9.

- 1 For the punishment of Embraceors. S. Iurors 5. 6.
- 2 For giuing or receiuing of Liueries for maintenance. S. Liueries 1. 2.
- 3 Who may vse any actions, or pursue vpo the Stat. provided against Maintenance, Champertie, Embacerie, &c. S. Actions popular 6.
- 4 The punishment of forcible entries by way of Maintenance. S. Force 6.
- 5 The Iustices of both benches Assise, and Nisi prius, shall heare and determine Maintenance, Champertie, &c. 4. E. 3. 11. 20. E. 3. 6.

Merchants and Merchandises.

All Merchants (vniclesse they were openly prohibited before) shall haue their safe and sure conduct to depart forth of England, and to come into England, and to tarrie, and go through England, as well by land as by water, to buy or sell, without any manner of euill tols, according to the auncient and lawfull customes, during in time of warre. And if they be of a countrey in warre with vs, and be so proued in our Realme in the beginning of the warre, they shall be attached without hurt of their bodie or goods, until it be knowne to vs, or our chiefe Justice, how the Merchants of our land be vsed in that countrey wherewith wee are in warre: And if our Merchants be well vsed there, theirs shall be so likewise with vs. Magna Charta 9. H. 3. 30. All Merchants, Strangers & Denizens, and all other that will buy or sell coyne, wines, Aune de pois, flesh, fish, and all other liuing and victual, tows, clothes, & all other things vendible, from whence soener they come, at what place soener it be, Citie, Bozough, Town, Port of the Sea, Faire, Market, or else where within the Realme, within Franchise or without, may freely sell them to what person it shall please them, as well sojournes as denizens, in grose, at retaile, or by parcels, at their wils, to all people that will buy the same (except to the enemies of the King and this Realme) notwithstanding any Charter, Usage, custome, or iudgement. And if any disturbance be done to any Merchant stranger or Denizen, or to any other for the sale of such things in any Citie, Bozough, Towne, Port of the Sea, or other place which hath franchise, and the Spalors and Bailifs, or other which haue the rule of such franchise, being required by the said Merchants,

Purchasing of pretended title.

Proclamation of the Stat. of Maintenance, &c.

Merchants shall haue safe conduct.

Merchants Strangers may buy and sell within this Realme, without interruption.

Merchants and Merchandizes.

chants, or other thereof to provide remedie; and doe not, and thereof be attainted, the franchise shall be seised into the h. hands, and neuertheless, they which have done this disturbance, shall restore to the said merchant his double damages which he hath thereby sustained. And if such disturbance or interruption be done in such places or Townes where no franchise is, and the Lord (if he be present) or his Bailie, Constable, or other Ruler of the said Townes and places (in the absence of the said Lord) being therein required to doe right, and do not, and thereof be attainted, they shall pay to the plaintife his double damages as aforesaid, and the disturbers, in the one case and in the other, as well within the franchises as without, if they be attainted, shall have one yerre imprisonment, and be ransomed at the kings pleasure. So Alien or Denizen, upon the aforesaid paine, shall be troubled, but he may freely buy such things aforesaid in the said places, & carrie them where it pleaseth him to his owne vse, or to the profit of the King, or the Realme, saving that such Merchants Aliens shall carrie no wine out of the same Realme. But no Merchant stranger shall alien, sell at retaile, nor buy, nor make merchandize within the Realme with an other strange Merchant Alien, to sell againe, nor no Merchant Alien shall sell to retaile within the same Realme, nor shall put to sale any manner of wares or merchandizes, except liyings and victuals. And also all Aliens shall sell Wines by whole vessels, and Spicerie by whole vessels, and bales, and in no other manner. And no manner of Spicerie, after it is brought into the Realme, shall be carried out of the same by Alien or Denizen, upon paine of forfeiture of the same. 9. Ed. 3. 1. 25. Ed. 3. 2. 11. R. 2. 7. 19. R. 2. 1. 2. R. 2. 1. S. Aliens 1. Victuals 1. 2.

One stranger
shall not mer-
chandize with
another.

Wines.

Spices.

No Scavage
shalbe paid for
Merchandize
customed.

2 If any Mayor, Shirefe, Bailie, or other Officer in any Citie, Borough, or Towne, within this Realme, do distraine, take, or leuie, any custome called Scavage or Shewage of any Merchant Denizen, or of any other the Kings subiects Denizens, for any merchandize, to the king before truly customed, that is brought by land or by water, to be vttered in any Citie, Borough, or Towne in this land: Or if any Mayor, Shirefe, Bailie, or other Officer in any Citie, Borough, or Towne for non-payment of the said Scavage, let or disturbe any Merchants, or any other persons Denizens, to sell and to vtter their merchandize by them brought into any Citie, Borough, or Towne, then he which offendeth shall for. for euerie offence xx. l. to the h. and the partie grieved, or any other that will first sue by action of debt in any shire, wherin no W. et. C. p. et. But the Mayor, Shirefe, & Commonalties of London, and euerie of them, shall haue all such summes of money for Scavage, of euerie person Denizens, as by right they ought. 19. H. 7. 8.

Merchandize
not lawfull to
be brought in
to this realme

3 No person shall bring, or cause to be brought into this realm of England, fro y parts of beyond the seas, any girdles, harness for girdles, rapiers, daggers, knives, hilts, pummels, lockets, chapes, dagger-blades, handles, scabers, and sheathes for knives, saddles, horse harness, stirrups, bits, gloves, points, leather laces, or pins being readie made, or wrought in any parts of beyond the seas, to be sold, bartered, or exchanged, within this realme of England or Wales, upon paine to for. all such wares so brought contrarie to the true meaning of this Act, in whose hands soeuer they or any of them shalbe found, or y verie value thereof, to the A. & J. or him that will seise the same, or sue therfore in any of the A. u. courts of Record by A. or J. wherin no W. et. C. p. et. 5. El. 7. 1. la. 25. to continue to the end of the first Session of the next Parliament.

Shipping of
fells, skins,
leather.

4 If any persn do ship or conuey, or cause to be shipped et. in or to any ship, boat, or vessel, in or upon the sea, or in or upon any haven, creek, river, or place within England or Wales, any manner of sheep skins, wolfsels, Merelings, moltings, or the skins of any stag, hind, buck, doe, goat, salone, or kid, or the pelts of any of the, or y leather made of any of them (tawed leather made of sheep skins only excepted. 8. El.

14) to

14.) to the intent to transport the same beyond the sea, there to be uttered by way of merchandize, or otherwise, he shall forfeit all such skins or pelts, bought, laden, shipped, or transported, or the value of the same, also by. v. s. for every sel, pelt, skin, &c. bought, laden, shipped, or transported, to the D. and J. to be rec. by A. J. &c. wherein no C. P. A. niuation, &c. But the merchants of the Staple, the merchants of Bew Castle upon Tyne, Hartilpole, and Berwicke, their servants, factors, and attornies, may transport all such lawfull wares as heretofore they lawfully might have done. 5. Elizab. 2. 2.

5 It shall not be lawfull to or for any person or persons whatsoever, to lade or put, or cause to be laden or put off or from any place on the land, into any ship or vessel, to be transported into any foreign region, or lay on land, or take &c. out of any ship (being not in leake or wyck) any goods brought from any parts out of the D. dominions, by way of merchandize (first taken by the D. subjects & salt excepted) but only in the day light, viz. from the 1. day of March, untill the last of September, betwixt the sun rising & the sun setting: And from the last of Sept. untill the first of March, between the houres of vi. in the morning, & iij. in the afternoon, and in and upon some such open place, key, or wharfe, as the D. Maier shall appoint, or where a customer, comptroller, & searcher (Hull only except) by the space of tenne yeres before the making of this Act (being 23. Jan. An. Do. 1559.) have bene resident, upon paine of forfeit of all such goods or merchandize so laden, or discharged, contrary to the true meaning of this Act, or the value thereof. 1. El. 11. 4. H. 4. 20.

6 If any Master, or other person taking charge of a Ship, Craier, or Vessel, do receive into his Ship, or lay on land out of his Ship, any goods or merchandize (except before excepted) to be transported out or brought in from any place out of the D. dominions, in any other place, or at any other houres, then is before limited, he shall forfeit for every offence a hundred pounds to the D. and J. to be rec. &c. wherein no C. P. &c. P. &c. 1. Eliz. 11.

7 No Master, Skipper, or other, taking charge of the voyage, shall receive into his Ship any goods (except before excepted) to be transported out of the D. dominions, before he shall signifie to the Customer and Officer of the port where he lade, that he intendeth to lade, and into what place he intendeth to passe: Nor shall after his lading depart out of the Port where he shall lade, before he doe signifie unto the said officers of his lading, and what persons shall have lading with him in his Ship: And further doe truly answer to such questions as shall be ministered unto him by the customer, or other officer, concerning the merchandize laden, being examined upon his othe, or otherwise, upon paine to forfeit for every default not truly aduertising, nor answering, &c. to the D. and J. &c. wherein no C. P. &c. 1. Eliz. 11.

8 If any person taking charge of a ship wherein any Merchandize (except before excepted) shall be brought from any parts out of the D. dominions, shall discharge into any Lighter, and lay on land, or procure or willingly suffer to be discharged &c. any goods before he shall have declared to the Customer, or other Officer of the port where he arriveth, the names of every of the Merchants or laders, and shall have truly answered to such questions concerning such Merchandize as shall be to him ministered upon his othe, or otherwise, by such Customer or Officer, he shall forfeit for every such default &c. to the D. and J. &c. wherein no C. P. &c. 1. Eliz. 11.

9. Every Merchant alien, and every bidpaler, or other stranger not being D. nizen, which shall resort into any place or Port of this Realme, or Wales, shall duly employ all the money received by him in any Port of the same realm, or Wales, upon the Merchandizes or other commodities of this Realme (saving this reasonable

It shall time and place the master of a ship shall receive or discharge his lading.

It shall time and place the master of a ship shall receive or discharge his lading.

The customer shall be advertised of all merchandize brought in.

The customer shall be advertised of all merchandize brought in.

Aliens shall employ their money in this Realme.

Merchants and Merchandises.

ble costs by the oversight of the chiefe Governour of the place where he shall arrive: or without fraud shall put the same in due payment to the Kings people within the Realme: the same imployment in payment to be duly proved by the stranger before his departing out of the same port, by testifying from the Merchant to whom the said stranger hath paid his money, witnessing that he hath so done, or else by such proofes as shall seeme reasonable to the Customor or Comptroller of the same port, and Mayor, Bailiffe, or other chiefe Governour of any such Citie, Borough, or Towne where such port shall be, upon paine of forfeiture of all his goods, being within the Realme, and one yere of imprisonment. 4.H.4.15.17.Ed.4.1.3.H.7.8. And Merchants Aliens shall find suretie in the Chancerie everie companie of them for their Companie, that none shall carrie gold or silver out of this Realme, against the statutes thereto provided, upon paine of forf. of the same, or the value. 2.H.6.6.S.Money 3.Customes 9.

Merchants of
Ireland,
Iernesey, and
Garnesey.

10 Everie Merchant of Ireland, Iernesey, and Garnesey, that bringeth any Merchandise into this Realme, shall imploy the money received for the same (his reasonable expences deducted) upon the commodities of this Realme, or else without fraud shall put the same money in due payment within this land (the said imployment of them for their Companie, that none shall carrie gold or silver out of this Realme, against the statutes thereto provided, upon paine of forf. of the value of the merchandise so brought into this Realme. 3.H.7.8.

None dwelling
in the
country shall
sell wares by
retail in a
market towne

11 No person dwelling in the countrey any where within England, out of any Cities, Boroughs, Townes corporat, or Market townes, shall sell, or cause to be sold by retail, any wollen cloth, linnen cloth, Haberdash wares, Grocerie wares, Spicerie wares, or within any the said Cities, Boroughs, Townes corporat, or Market Townes, or within the Wal arbes or Liberties thereof (except it be in open faires) upon paine to forf. for everie time so offending vi.s. viij. s. and the whole wares so sold &c. to the Dn. and J. which will seize and sue for the same by A.J.B. 13.4c. wherein no W.4c. C. 13.4c. 1.& 2.P.&M.7.

Countrey men
may sell wares
in grosse in
market townes

12 This Act shall not be hurtfull to any persons that bring any of the said wollen cloth, linnen cloth, Haberdash, Grocerie, or Spicerie wares, to any of the said Cities, Market townes, &c. to be sold by whole sale, in grosse, and not by retail, but everie of them may lawfully sel the same by whole sale, in grosse, and not by retail, as they might have done before &c. 1.& 2.P.&M.7.

When a coun-
treymen is
come to dwell
in a Market
towne, he may
sell by retail.

13 This Act shall not extend to any persons that dwell in the countrey out of any of the said Cities, Boroughs, Townes corporat, or Market Townes, but everie of them at any time when he shall be free of any of the guilds, or liberties of any of the said Cities or Market Townes, &c. and dwell within any of them, shall or may sell, or cause to be sold, any of the wares aforesaid by retail: Neither shall this Act be prejudiciall to the liberties and privileges of the Universites of Oxfozd and Cambridge, or either of them. 1.& 2.P.&M.7.

Oxfozd.
Cambridge.

Cloth of their
owne making
sold by retail

14 It shall be lawfull to all persons to sell, or cause to be sold by retail, or otherwise, all Linnen or Wollen cloth of their owne making, in every Citie, Borough, or Towne corporat, and Market town, as freely as they might have done before. 1.& 2.P.&M.7.

Commissions
touching poli-
cies of assu-
rance among
Merchants.

15 It shall and may be lawfull for the Lord Chancelor, or Lord Bisper of the great Seale of England, for the time being, to award forth under the great seale of England, one generall or standing Commission, to be renewed yearly at the least, and otherwise so oft as unto the L. Chancelor or L. Bisper shall seeme good, for the hearing and determining of causes arising, and policies of assurances, such as now are, or hereafter shall be entered within the Office of Assurances, within the Citie of London, and whereof no suit shall be depending, the last day of this Session of Parliament, in any of her Majesties Courts: Which Commission shall be directed unto

unto the Judge of the Admiraltie for the time being, the Recorder of London for the time being, two Doctors of the Civil Law, and two Common Lawyers, and right graue and discret Merchants, or to any five of them, which Commissioners or the greater part of them which shall sit and meet, shall haue by vertue of this Act, full power and authoritie to heare, examine, order, and decree, all and euerie such cause and causes, concernig policies of Assurances, in a brieue & summarie course, as to their discretion shall seeme meet, without formalities of pleadings, or proceedings. 43. Eliz. 12.

16 It shall be lawfull for the said Commissioners, as well to warne any of the parties to come before them, as also to examine vpon the any witnesse that shall be produced, and to commit to prison, without baile or mainprise, any person that shall wilfully contemne or disobey their finall Orders or Decrees. And the said Commissioners shall once euerie weeke at the least meet, and sit vpon the execution of the said Commission in the office of the assurances, or in some other convenient publike place, by them to be assigned. And no person by vertue of this Act, may claime or exact any fee, for any matter or cause concerning the execution of the said Commission. 43. Eliz. 12.

The Commissioners
authoritie.

17 If any person shall be grieved, by sentence or decree of the said Commissioners, such person so grieved, may at any time within two Moneths of the said decree so made, exhibite his Bill into the Chancery, for the reexamination of such decree, So as euerie person complainant, before he shall exhibit any such Bill, doe either execute and satisfie the said sentence so alwarded, or at the least lay downe in Deposite with the said Commissioners, such summes of money as hee shall be alwarded to pay, and vpon so doing the said Complainant shall be enlarged of his imprisonment. And the Lord Chancelor, or Lord Keeper for the time being, shall haue full power and authoritie, by vertue of this Act, vpon euerie complaint made (in order as aforesaid) to reuerse, or affirme euerie such sentence or decree, according to equitie and conscience. And the said Lord Chancelor, or Lord Keeper, in euerie such suit brought before him as aforesaid, by such Assurers, and decreed against the said Assurers, shall alward double costs to the partie assured. 43. Eliz. 12.

A remeie for
the partie
grieved.

18 No Commissioner shall intermeddle in the execution of any such Commission, in any cause or matter of assurance, where himselfe shall be either a party Assurer, or assured, in the same assurance which is brought in question. Nor any Commissioner (other then the said Judge of the Admiraltie, and the Recorder of London) shall deale or proceed in the execution of any such Commission, before hee haue taken his oorporall othe before the Lord Mayor and Court of Aldermen of the Citie of London, to proceed vprightly and indifferently betwene party and party. 43. Eliz. 12.

None of the
parties shall be
a Commis-
sioner.

19 Whereas diuers Merchants haue of late obtained from the king, vnder the great Seale of England, a large Charter of incorporation for them and their companies, to trade into the dominions of Spaine and Portugal, and are also most earnest suitors to obtaine the like from his said Maiestie for Fraunce, whereby none but themselves, and such as they shall thinke fit, as being more Merchants, shall take benefit of the said Charter, disabling thereby all others his Maiesties Subjects of this Realme of England and Wales: It shall and may be lawfull, to and for all his Maiesties Subjects of this his realme of England & Wales, from henceforth at all times, to haue free libertie to trade into, and from the Dominions of Spaine, Portugal, and Fraunce, in such sort, and in as free maner as was at any time accustomed thence the beginning of this his raigne, in this his Realme of England, and at any time before the said Charter of Incorporation was granted, paying to the King, his heires and successors, all such customes and other duties,

All Merchants may
trade into
Spaine, &c.

Merchants and Merchandises.

**The Charter
granted to the
Citizens of
Excester.**

ties, as by the Lawes and Statutes of this Realme, ought to be paid and done for the same: The said Charter of Incorporation, or any other Charter, Graunt, Act, or any thing else heretofore made or done, or hereafter to be done to the contrary in any wise notwithstanding. Provided alwaies, that this Act shall not be of force to enable or giue liberty to any person or persons to go ouer Seas without licence, who by the Lawes and Statutes of this Realme, or by any Statute hereafter to be made, shall be restrained from going beyond the Seas without licence: Any thing to the contrary notwithstanding. 3. Jac. 6. The foresaid generall Law of 3. Jac. 6. so made as is aforesaid, neither doth, nor shall dissolve, adnihilat, or impeach the Charter (by which Quene Elizabeth by her Letters Patents, vnder the great Seale of England, bearing date the xviij. day of June, in the second yeare of her raigne, did incorporate certaine Merchants therein named, and their successors, being Citizens and inhabitants of the Citie and Countie of Excester, and did giue and graunt vnto them the perpetual name of the Gouernours, Consuls, and Societie of the Merchants aduenturers of the Citie and Countie of Excester, trafficking, into the Realme of France, and the Dominions of the French King) or the sayd Companie in any their Priuiledges, Liberties, or Immunities, graunted vnto them by the said Charter: Any thing in the foresaid generall Act to the contrary thereof in any wise notwithstanding. 4. Jac. 9.

**Dressing or
transporting
blacke Conie
skins.**

20 No person or persons after the end of three Moneths next ensuing after the end of this Session of Parliament, vsing the trade of Merchandize, or any other, shall dresse, or cause to be dresse in his or their house or houses, or by any workman appointed by them for that purpose (those workmen not being Artizan Skinners, and vsing the trade of Artizan Skinners) any of the blacke Conie Skins of this kingdome, nor shall transport, or carie beyond the Seas, nor cause to be transported or caried beyond the Seas, nor shall packe, ship, or lade, to the intent to transport or carie beyond the Seas any blacke Conie Skins of the breed of this Realme, vntlesse the same Skins shall first be tawed, and duly and perfectly wrought, dresse, and packed within this Realme, by those that are Artizan Skinners, or Lawers vnder the said Artizan Skinners, according to the Science, Art, and Facultie of the Artizan Skinners, vpon paine of forfeiture of such Skins so packed, shipped, laden, and transported, contrarie to this Act, or the iust or full value thereof. 3. Jac. 9.

**Merchants
buying of Cony
or Lambe
skins.**

21 No person or persons vsing or exercising the trade of a Merchant shall after the end of the said three Moneths next ensuing after the end of this Session of Parliament, buy, bargain, or contract, or cause to be bought, bargained, or contracted for, any Cony Skins, or Lambe Skins, commonly called Poxkins, of the breed of this Realme, or being within this Realme, vnder the number of one thousand blacke Cony Skins, or three thousand gray Conie Skins, or two thousand Lambe Skins, called Poxkins, at a time, and those not to be bought, or contracted for, in, or by parcels, but to be contracted for, bargained, and deliuered at one time intirely together, and not by parcels (except it be of the Artizan Skinners) nor shall offer or sell the same againe, nor any part thereof to any person or persons within this Realme, in smale parcels, viz. vnder the number of one thousand blacke Conie skins, and 3000. of gray Cony skins, and 2000. of Poxkins at a time, vntlesse it be to the artizan skinner, vpon paine of forfeiture of the said skins, or the full value of the same. 3. Jac. 9.

**Art Skinners
Apprentice.**

22 After the end of the said three Moneths, next ensuing after the end of this Session of Parliament, no person or persons shall take, retaine, or keep any Seruant, Journeyman, or Appzentice, to serue or worke with him therein, except the said person so vsing or setting by the said Trade, Mysterie, or Occupation, haue serued seven yeares at the least as an appzentice therein, and do vse the trade and handy

handy craft of Skinner, upon paine of foze. of the double value of all such Skins
o: fures, as shall be dressed o: wrought by such person o: persons, his o: their
Seruants, Iournemen, o: Apprentices, contrarie to the intent of this Act. 3.
Iac. 9.

23 All forfeitures and penalties, which by force of this Act shall arise o: grow, ^{The forfeitures,}
shall be divided and distributed in maner and forme following, viz. The one moi-
tie of the said penalties and forfeitures afoze mentioned, shall be to the King his
heires and successors, and the other moitie thereof to such person o: persons, as
shall seize the said Skins o: fures so forfeited, o: shall sue for the same penal-
ties and forfeitures by A. B. P. o: I. in any Court of Record, wherein no C. P.
W. 4. 3. Iac. 9. To endure untill the end of the first Session of the next Parlia-
ment.

1 In what sort Merchants and Handycrafts men shall pay their Tythes. S.
Tythes 30.

Mariners and Souldiers.

If any Souldier, Mariner, o: gunner, which taketh any prest o: wages, to serue ^{Mariner be-}
the W. her heires o: successors, doth not goe with, o: doth depart from his Cap- ^{parting from}
taine within his terme, for the which the Captaine hath retained him (except some ^{his Captaine.}
impediment by the visitation of God suffer him not to goe) which he shall certifie
immediately to his Captaine, and repay his prest money, o: except he doe obtaine
licence of his Captaine under his seale, it is felonie, and he shall be punished as a fe-
lon. 18. H. 6. 19. 5. Eliz. 5. S. Felonie 23.

2 No Mariner o: fisherman haunting the Sea as a Mariner o: fisherman, ^{Mariner o:}
shall be compelled against his will to serue as a Souldier upon the land o: sea, o: ^{fisherman that}
therwise than as a Mariner, except it shall be vnder any Captaine of some ship o: ^{not serue as a}
vessel for landing to doe some exploit, which Mariners haue vsed to doe, o: vnder ^{Souldier.}
any other person hauing authoritie to withstand inuasion of enimies, no: to subdue
any rebellion within the Realme. And also except all such persons, as by tenure,
lawfull custome, o: covenant be bound to serue. 5. El. 5.

3 No fisherman, vsing o: haunting the Sea, shall bee taken by the Quenes ^{By what}
Commission to serue her Highnesse as a Mariner on the Sea, but the said Com- ^{means fisher-}
mission shall be first brought by the Quenes taker to two Iustices of Peace, next ^{men shall be}
adiogning and inhabiting to the said Sea coasts, Townes, o: other places where ^{taken to serue}
the said Mariners are so to be taken, to the intent the said Iustices may chuse out, ^{as Mariners}
and cause to be returned such sufficient number of able men, as in the said Com-
mission shall be contained to serue her Maieestie. 5. El. 5. 1. Iac. 25. To continue till
the end of the first Session of the next Parliament.

4 All idle and wandring Souldiers o: Mariners, o: idle persons, which now ^{wandring}
are, o: hereafter shall be wandring, as Souldiers o: Mariners, shall settle them- ^{Souldiers}
selues in some seruice, labour, o: other lawfull course of life, without wandring, ^{Mariners}
o: otherwise repaire to the places where they were bozne, o: to their dwelling pla- ^{shall settle}
ces, if they haue any, and there remain, betaking themselves to some lawfull trade ^{themselves to}
o: course of life, as afozesaid, upon paine, that all persons offending contrarie to ^{work.}
this Act, to be reputed as felons, and to suffer as is case of felonie, without any ^{felonie.}
benefit of Clergie to be allowed. 39. El. 17.

5 And euery idle and wandring Souldier o: Mariner, which comming from ^{wandring}
his Captaine from the Seas, o: from beyond the Seas, shall not haue a testimoni- ^{Souldiers}
all vnder the hand of some one Iustie of Peace, of, o: nere the place where he ^{Mariners}
landed, setting downe therein the place and time, where, and when he landed, and ^{shall haue}
the place of his dwelling o: birth, vnto which he is to passe, as afozesaid, and a con- ^{testimonials,}
uenient

Mariners and Souldiers.

Counterfeit
testimoniall.

In of Masse,
gaole deliuerie
& peace, may
heare, and de-
termine these
offences.

Taking the
offendour into
seruice for a
yeare.

The idle wa-
derer falling
sicke by the
way.

A remedie
where the
waderer can-
not get worke

The Hundred
taxed for the
reliefe of a
souldier or
mariner.

uenient time therein limited for his passage, or having such testimoniall, shall wilfully exceed the time therein limited, above 14. daies: And also as well enery such idle and wandring Souldier or Mariner, as enery other idle person wandring, as Souldier or Mariner, which shall at any time hereafter forge or counterfeit any such Testimoniall, or haue with him or them any such Testimoniall forged, or counterfeited, as aforesaid, knowing the same to be counterfeited, or forged, in all these cases enery such act or acts to be felonie, and the offendours to suffer as aforesaid, without any benefit of Clergie. 39. El. 17.

6 It shall and may be lawfull for the Iustices of Assises, Iustices of Gaole deliuerie, and Iustices of Peace of enery Countie, and for all Iustices of Peace in Townes corporations, having authoritie to heare and determine felonies, to heare and determine of all such offences in their generall Sessions; and to execute the offendours which shall be convicted before them, as in cases of felonie is accustomed: Except some honest person valued at the last subsidie next before the time, to r. l. in goods, or xl. shillings in lands, or else some honest frecholder, as by the said Iustices shall be allowed, will be contented before such Iustices as such person shall be arraigned of felonie, to take him or them into his seruice for one whole yeare then next following, and then before the said Iustices will be bound by Recognisance of r. pounds, to be leuiud of his lands, goods, tenements, and chattels, to the vse of our soueraigne Lady the Quene, if he keeps not the said person or persons for one whole yeare, and bring him to the next Sessions for the peace and gaole deliuerie next ensuing after the said yeare. And if any such person retained depart within the yeare, without the licence of him that so retained him, then to be indicted, tried, and adiudged as a felon, and not to haue the benefit of the Clergie. 39. Eliz. 17.

7 Provided alwaies, that if any such idle and wandring persons as aforesaid, shall happen to fall sicke by the way so that by reason of his weakenesse he cannot trauell to his tourneyes end within the time limited within this testimoniall, no such to be within the danger of this Statute, so as he settle himselfe in some lawfull course of life, as aforesaid, or repaire as aforesaid to the place where he was bozne, or was last abiding, within conuenient time after the recouerie of his sicknesse, and there remaine as aforesaid: Any thing etc. notwithstanding. 39. Elizab. 17.

8 Provided also, that when any such Souldier or Mariner, comming from the seas, or from beyond the Seas, as aforesaid, shall repaire to the place of his dwelling or birth, according to the purport of the said Testimoniall, and cannot of himselfe there get any worke, whereby to imploy himselfe to labour, or other lawfull course of life, as aforesaid: That then in all such cases, upon complaint made by such Souldier or Mariner to two Iustices of Peace of the said Countie, of, or nere the said place, the said two Iustices shall take order by their discretion, to set such Souldier or Mariner to some such honest labour, or worke, as to them shall be thought meet. And for want of such worke, the said two Just. shall take the whole Hundred, by their discretions, for the reliefe of such Souldier or Mariner, till such sufficient worke may be had. 39. El. 17.

9 Provided also, that if any such Souldier or Mariner, comming from the seas, or from beyond the Seas, as aforesaid, shall not at the time of his landing, or in his trauell to the place, whereunto he is to repaire, as aforesaid, going the direct way, that then he resort to some Iustice of Peace, next adioyning to the said place of landing, or way, and make knowne vnto the said Iustice his paueritie: Who upon perfect notice thereof had, shall haue full power and authoritie, by this present Act, to licence the same Souldier or Mariner to passe the next and direct way to the place where he is to repaire, and to limit him so much time onely, as shall bee
necessarie

necessarie for his traualle thither: And that in such case his licence being so made, and he pursuing the forme of such his licence, shall and may for his necessarie reliefe in his such trauell, aske and take the reliefe that any person shall willingly give him, & in such cases his such traualle and taking of almes, as aforesaid, shall not be taken an offence against the law. 39. Eliz. 17.

The souldier of Mariner licenced may aske and take reliefe.

10 Provided also, that this Act, nor any thing therein contained, shall extend or be interpreted to make or worke any corruption of blood in any the heires, or heire, of any such offender; or offenders: any thing in this Act to the contrary notwithstanding. 39. Eliz. 17. 1. Jac. 25. To continue to the end of the first Session of the next Parliament.

No corrupti- on of blood.

11 For the Mariners forfeiture for transporting Corn, Beere, Butter, Cheese, &c. S. Corne 1.

12 For the Mariners forf. for the transporting of Leather. S. Leather 33.

13 A prouision for the reliefe of Mariners & Souldiers. S. Capitaines 17. &c.

14 For the punishment of Watermen which hide themselves in the time of pressing. S. Boatmen 6.

15 For Sea markes, S. 8. Eliz. 13.

Marshall, Marshallie.

The Steward and Marshals shall not hold plea of scatchhold, nor of debt, covenant, nor any contract made betwene any of the Kings people, but onely of trespassse done within the Kings house, or other trespassse done within the verge, and of such contracts, and covenants, that one of the Kings house maketh with another within the same house, and not elsewhere, and they shall plead no plea of trespassse, except the partie were attached by them, before the King departed from the verge where the trespassse was committed, and they shall plead them speedily from day to day, so that they may be pleaded and determined before the King depart out of the limits of the same verge, where the trespassse was committed. And if they cannot be determined within the limits of the said verge, the pleas shall cease before the Steward, and be determined at the Common Law. The Steward shall not take cognisance of debts, nor other things, but of such persons only which be of the Kings house, nor shall hold any other plea by obligation made by a distresse taken by the Steward, or Marshall. And if they attempt any thing contrarie to any part of this statute, it is void. 28. Ed. 1. 1. Articuli super chartas.

Of what things the Marshall of the Kings house shall hold plea.

Cognisance of debts.

2 If any ple of debt, detinue, or other ple personall be commenced betwixt any persons being not of the Kings house, though the Record doe make mention that the plaintife and defendant in the same ple be of the Kings house, yet the defendant shall not be estopped by such record, but may haue his auerrement, that he himselfe, or the said plaintife were not of the Kings house at the time of the said ple or suit commenced. 15. H. 6. 1.

The def. shall not be estopped by the plaintifes declaration.

3 In all places where the King in his owne person shall come to rest, abide, or make repose, there within the verge limited to his Graces Court, (which shall not passe the space of twelue miles, to be accounted from his lodging. 13. R. 2. 3.) His Steward, Marshall, Cozoner, & all other Officers may keepe their Courts for Justice, and execute their Offices which shall appertaine vnto them, according to the Lawes, customes, and statutes of this Realme, as well within liberties as without, during the time of the Kings abode: any priuiledge or graunt notwithstanding. 27. H. 8. 25.

During the Kings abode the Marshall may keepe his Court.

4 In enery case where Enquests be to be taken before the Steward and Marshall of the Kings house, such Enquests shall be taken by men of the Countrey thereabout, and not by any of the Kings house, except it be of contracts, covenants, or

The verge xij. miles. Enquests in the Marshalls Court.

Marshall, Marshalse. Masons. Matrimonie.

trespasses made by such whereof the one part and the other is of the R. house, and that in the same house. 4. E. 3. 2. 10. E. 3. 3. S. Trial 4. 5.

Error in the
Marshall
court shall be
reversed in
the R. bench.
The Mar-
shalls for s.

5 If any will complaine of Error made before the Steward and Marshall of the Kings house, he shall have a writ to remove the record and the process into the Kings Bench, and there the Error shall be redressed. 5. Edward. 3. 2. 10. Edward. 3. 3.

Servitor of
Bills.

6 The Marshall of the Marshalse of the Kings house may take the fees hereafter following in open Court: that is, of every person which cometh by Capias to the said Court iij. s. and if he be let to mainprise untill his day two pence more. And of every person being defendant which is impleaded of trespassse, and findeth two mainperners to keepe his day untill the end of the plea two pence. And of every person committed to prison by judgement of the Steward, in whatsoever manner the same be iij. pence. And of every person delivered of felonie iij. pence. And of every felon let to mainprise by the Court iij. s. But if the Marshall, or any his Officers under him, do take any other fees than are before declared, the said Marshall, and every of his officers shall loose their offices, and also shall pay to the party grieved treble damages, for the which the said partie shall have his suit before the Steward of the said Court, for the time being. A servitor of Billes, which beareth a staffe of the same Court, shall take for every Wile from the same Court, untill the same place where he shall doe his service a penie, and for xij. miles xij. s. and to serve a Venire facias, or a Distringas out of the same Court, the double. And if any servitor of billes doe the contrarie, he shall be imprisoned, and make fine to the R. after the discretion of the Steward of the same Court, and also be forfejudged and banished the same Court. All which Articles the Steward at his coming into the Countrey, hath authoritie to proclaime and put in execution. 2. H. 4. 23. And Priests, and other Ecclesiasticall persons taken in the Marshalsey of the Kings house, shall pay such fees, as lay people shall reasonably paie, and no more. 9. R. 2. 5.

Ecclesiasticall
persons.

Steward of
the Marshalse
for s.

7 The Steward of the Marshalsey shall be for ever from time to time assigned by writing under the seal of the Lord Steward of the R. house for the time being. 33. H. 8. 12.

1 In what cases the plaintife shall answer damages in the Marshalsey. S. Damages 2.

Masons.

Chapters and congregations of Masons shall not be from henceforth holden. And if any such be made, they that cause such Chapters and Congregations to be assembled and holden, if they thereof be convicted, shall be adindged for felons: And all the other Masons, that come to such Chapters and Congregations be punished by imprisonment of their bodies, and make fine and ranome at the Kings will. 3. H. 6. 1.

Matrimonie.

All persons be lawfull to contract Mariage, that be not prohibited by Gods law to marie, and no reservation or prohibition (Gods law except) shall trouble or impeach any marriage without the Levitical degrees. And no person of what estate, degree, or condition soever he or she be, shall be admitted in any of the Spirituall Courts within the Kings Realme, or any his Lands, and Dominions, to any processe, plea, or allegation contrarie to this Act. 32. H. 8. 38. 2. Edward. 6. 2. 3. 1. Eliz. 1.

2 All and every Law and Lawes positive, Canons, Constitutions, and ordi-
nances, heretofore made by the auctoritie of man onely, which doe prohibite, or fo-
bid mariage to any Ecclesiasticall or Spirituall person or persons, of what estate,
condition, or degree they be, or by what name or names soever they be called,
which by Gods Law may lawfully marie, in all and everie article, branch, and sen-
tence, concerning onely the prohibition for the mariage of the persons aforesaid
shall be utterly void. And all manner of forfeitures, paines and penalties, crimes,
or actions which were in the said Lawes contained, and of the same did follow, con-
cerning the prohibition for the mariage of the persons aforesaid, shall be utterly
void, and of none effect, to all intents, as well concerning mariage heretofore made
by any of the Ecclesiasticall or Spirituall persons aforesaid, as also such which here-
after shall be duly and lawfully had, celebrate, and made, betwixt the persons
which by the Lawes of God may lawfully marry. 2. & 3. Ed. 6. 12.

3 Repeale of
all Lawes
made agayn
the marriage of
Priests.

3 This Act shall not extend to give any libertie to any person to marie without
asking in the Church, or without any Ceremonie being appointed by the order set
forth in the Booke intituled, The Booke of common praier, and administration of
Sacraments. 2. & 3. Ed. 6. 21.

3 thing in the
Church.

4 This Act shall not extend to alter, reuoke, repeale, or otherwise to disannul
any decree, sentence, iudgement, or divorce heretofore had, or made, but all and eu-
ery such decree, iudgement, sentence, and divorce, shall remaine and be of like force,
effect, and degree, to all intents and purposes, as they were in before the making of
this Act, and as though this Act had neuer bene. 2. & 3. Ed. 6. 21. 1. lac. 25.

former de-
crees or di-
uorces.

5 The Matrimonie of all and every Priest & other Ecclesiasticall & Spirituall
persons, & person heretofore had, celebrated, and made, & the matrimonie of every
Priest, and other Ecclesiasticall person, which shall hereafter be duly had, celebra-
ted, & made, shall be aduindged & taken for true, iust, and lawfull matrimonie, to all
intents and purposes. And all and everie child, & Child borne in any such ma-
trimonie, shall be reputed and taken to all intents & purposes to be borne in lawfull
matrimonie, and to be legitimat, & inheritable to lands, tenements, and other here-
ditaments, from, and by any of their fathers, mothers, and other auncesors, in like
maner and forme to all intents, as any other child borne in lawfull matrimonie
betwixt any of the Kings lay subjects be inheritable. And as well all and everie
Priest, & other Ecclesiasticall & Spirituall person & persons, bee, and shall be enabled
to be tenants by the Curtesie, after the death of their wiues, of such lands, tene-
ments, and other hereditaments, as their wiues shall happen to be seised of, of e-
state in fee simple, or estate in fee taile generall, during the espousals: As also every
wife of everie such Priest, and other Ecclesiasticall person, shall be enabled to claime,
demand, haue, and enioy Dowry of the lands, tenements, & other hereditaments,
whereof her husband during the espousals betwene them, was seised of estate
in fee simple, or fee taile generall in his owne right, in like maner and forme, to
all intents, as any other husband, or wife, may or might claime, demand, haue or
enioy: Any law, statute, canon, custom, &c. made to the contrarie notwithstanding.
5. & 6. Ed. 6. 12. The children of Ecclesiasticall persons in the aforesaid Act menti-
oned shall be and continue legitimat, and inheritable to all intents and purposes, as
children of lay persons doe enioy and may inherite: Any canon or constitution to
the contrarie notwithstanding. 1. lac. 25.

The mariage
of Priests
lawfull.

Priests chil-
dren legitimat

6 But this Act shall not extend to give libertie to any person to marie, without
asking in the Church, or without the ceremonies, according to the Booke of Com-
mon praier, and administration of the Sacraments, nor shall make any such mari-
age already made, or hereafter to be made, good, which are prohibited by the Law of
God, for any other cause. 7. & 6. Ed. 6. 12.

3 thing in the
Church.

7 This Act shall not extend to alter, change, reuoke, repeale, or otherwise to dis-
annul

h h y

Matrimonie. Mault.

annull any decre^e, iudgement, or sentence of diuor^ece heretofore had, or made: Or to change, or alter the possession, or inheritance of any lands or tenements already descended, but they and every of them shall remaine and continue of such like force and decre^e, to all intents, as they were before the making of this act. 5. & 6. Ed. 6. 12. 1. Jac. 25.

There shall be no marriage vntill the former husband or wife be dead.

8 If any person or persons within his Ma. dominions of England and Wales being married, or which hereafter shall marie, doe marie any person or persons, the former husband or wife being alive, Then every such offence shall be felonie, and the person and persons so offending shall suffer death, as in cases of felonie: And the partie and parties so offending shall receive such and the like proceedings, trial, and execution in such countie where such person or persons shall be apprehended, as if the offence had bin committed in such countie where such person or persons shall be taken or apprehended. 1. Jac. 11.

Quere.

9 Provided alwaies, that this Act shall not extend to any person or persons whose husband or wife shall be continually remaining beyond the Seas by the space of vij. yeares together, or whose husband or wife shall absent him or her selfe the one from the other, by the space of seven yeares together, in any parts within his Ma. Dominions, the one of them not knowing the other to be living within that time: Neither shall extend to any person or persons that are or shall be at the time of such marriage diuorced by any sentence, had, or hereafter to be had in the Ecclesiasticall Court, or to any person or persons, where the former marriage hath beene, or hereafter shall be by sentence in the Ecclesiasticall Court declared to be void, and of no effect: Nor to any person or persons, for or by reason of any former marriage had or made, or hereafter to be had or made within age of consent. 1. Jac. 11.

10 Provided also, that no attainder for this offence made felonie by this Act, shall worke any corruption of blood, loss of dowry, or disherison of heire or heires. 1. Jac. 11.

11 Doctors of the Ciuill Law being married, may exercise Ecclesiasticall Iurisdiction. S. Ecclesiasticall &c. 44.

Mault.

How long Mault shall be in the fat, flower, steeping, and drying.

N person or persons shall make any Barley Mault (the moneths of June, July, and August onely except) but the same shall haue in making thereof, that is to say, in the fat, flower, steeping, & sufficient drying of the said Mault, three weekes at the least. And no person or persons, at any time within the said moneths of June, July, and August, shall make any Barley mault, except the same haue in the fat, flower, steeping, and sufficient drying, the time and space of xvj. daies at the least: Under and without which time & times, the said Mault cannot be well and perfectly made, nor wholesome for mans body: vpon paine to forfeit for every quarter of Mault, which shall be made by any person or persons, contrarie to the tenor, purport, and true meaning of this Act, y. s. to the R. and J. to be recovered by A. B. P. or J. wherein no W. C. P. or J. &c. 2. Ed. 6. 10.

None shall mingle good Mault with cull.

2 No person or persons, shall mingle or put together any Mault, not being well and sufficiently made, or being made of Mowburnt or spired Barley, with other good Mault, and after put the same so mingled to sale, vpon paine to forfeit for every Quarter so mingled and put to sale, y. s. to the R. and J. to be recovered by A. B. P. or J. wherein no W. C. P. or J. &c. 2. Ed. 6. 10.

Mault shall be well trodden, rubbed, and fanned.

2 If any person or persons, shall put to sale any Mault, which shall not be sufficiently and well trodden, rubbed, and well fanned, whereby there may be conueniently fanned out of one Quarter thereof, halfe a pecke of dust, or more: then the person

person so putting the same to sale, shall forfeit for every quarter so put to sale xx. s. to the B. and J. to be recovered by A. B. D. or J. wherein no T. C. D. or J. etc. 2. Ed. 6. 10. 17. R. 2. 4.

4 The Just. of P. in every their Sessions, & also the Stewards in every Act, shall have full power and authority, by virtue of this Act, to inquire, hear, and determine, as well by presentment of ry. men, as by accusation or information of two honest witnesses, of, for, & upon all and every the offences & for. aforesaid, as well for the B. as the parties that shall sue, prosecute, or cause the same to be presented, as is aforesaid. And the Bailiffs and Constables of every borough, or market towne, or other towne, where any such Spault shall be made, or put to sale, shall have full power and authority from time to time, to view, search, & survey all such mault as shall be made or put to sale, within any of the said townes. And if any of them, shall thereupon find any mault so put to sale, being evil made, or mingled with evil mault, contrary to the tenor and true meaning of this act: then the Bailife or Const. so finding any such Spault evil made or mingled, as aforesaid, with the advice of one J. of P. within the same shire, shall cause the same to be sold to such person or persons, and at such reasonable price, or prices, and under the common price of the market, as to his discretion shall seeme necessarie and expedient. 2. Ed. 6. 10. S. Lees 5. Just. of P. 30.

Justices,
Stewards,
or shall pu-
nity offenders,

5 This act, nor any thing therein contained, shall not extend to charge, or be, to the making of mault for any mans owne provision, for his owne house or familie, neither preiudiciall to any person or persons, for, or concerning any the offences or forfeitures aforesaid: Except he or they so offending shall happen to be sued, presented, and accused for the same, in manner and forme aforesaid, within one yeare next after any such offence or offences shall be done or committed: any thing ec. notwithstanding. 2. Ed. 6. 10. 1. Jacobi 25. To continue to the end of the first Session of the next Parliament.

Spault made
for a man's
owne provision
on.

6 From time to time, and at all times hereafter it shall and may be lawful for the Justices of peace within this Realme in their open quarter Sessions, or the more part of them, by their discretions, to suppress, discharge, or restrain the superfluous & unnecessarie number of Spaulsters in part, or in the whole: And also to restrain such person and persons, as to their discretions shall seeme meet, from the buying of Barley to convert into Spault, in part, or in all, for such time or times as to their discretions shall seeme meet. And if any person or persons shall refuse, disobey, or not performe such suppressing, discharging, or restraint, or any or der whatsoener the said Justices shall set downe touching the same: Then and so often such person or persons being thereof duly convicted before the said Justices, or any two of them, by the testimonie of two witnesses, or by his owne confession, shall be by the said Justices committed to the common Gaole of the Countie, Cittie, or corporate Towne, where the offence is committed, there to remaine without baille or mainprise, by the space of three daies, and from thence untill hee shall become bounden by Recognizance in the summe of xl. s. to be taken to the use of her Majestie, before any Just. of P. to stand to, performe, & obey such suppressing, discharging, or restraint taken by the said Justices, as aforesaid. 39. El. 16.

Just. of peace
may restrain
the number of
Spaulsters.

Buying of
Barley.

7 Provided also, that the said Justices of Peace, within any Countie of this Realme, shall not intronit, or enter into any Cittie, Borough, or Towne corporate, for the execution of any article in this Act, except he be a Justice of peace also in the said Cittie, Borough, or Towne corporate, but that it shall be lawful to the Just. of peace, Spaulsters, Bailiffs, and other head officers of those cities, boroughes, and townes corporate, where they kepe Sessions, to proceed to the execution of this Act, and every article thereof within the precincts of their liberties, at such time and times, & as often as to them shall seeme meet, in as large and ample ma-

Cities, Bo-
roughs, and
townes cor-
porat.

Mesne.

ner, as the Justices of peace in any Countie may doe. 39. Eliz. 16.

Barley grow-
ing tupe, or
rent.

8 Provided also, that it shall and may be lawfull, to, and for every person and persons, which shall have of his owne any Barley or Cozne growing, or any tye the Cozne, or rent Cozne, reserved upon any Lease or demise, to convert into Wault all or any such Barley or Cozne: any thing in this present act to the contrary notwithstanding. 39. Eliz. 16.

Stone shall
medd's, which
bleth to make
meat.

9 Provided also, that no manner of person or persons shall deale, or meddle in the execution of this Act, that be to buy Barley to convert to Wault, and to sell the same againe. 39. El. 1. 6. 1 Jac. 25. This Act shall continue untill the end of the first Session of the next Parliament.

Mesne.

The Mesne
forseidged of
his Mesnalitie

Vhen chiefe Lords doe distraine in their fee for customes and services due unto them, and there is a Mesne which ought to acquit the Tenant, thence it lieth not in the mouth of the Tenant after he hath repleined the distresse, to denie the demands of the chiefe Lord which anoweth in the Kings Court, that the distresse is lawfully taken upon his Tenant, viz. upon the Mesne, this cometh following is provided for the tenant, That as soone as the Tenant in demesne (having a Mesne betwene him and the chiefe Lord) is distrained, immediately the tenant shall purchase a writ of Mesne. And if the Mesne having land in the same Countie will make default untill the graund distresse be awarded, the plaintife shall have such day given him in his writ of graund distresse, that before the coming thereof, two counties may be holden, & the Shirefe shalbe commanded that he doe distraine the Mesne by the graund distresse, as in the writ is contained: And notwithstanding, the Shirefe in two full counties shall cause solemnly to be proclaimed, that the said Mesne shall appeare at the day contained in the writ, to answer the Tenant: At which day if he doe not appeare, the suit shall proceed betwixt them according to the accustomed maner, & if he do not appeare, then the said Mesne shall lose the service of his tenant, & from thenceforth the tenant shal not answer him in any thing, but (leaving the Mesne) shall answer the chiefe Lord those services and customes which before time the foresaid Mesne had writ to do. But the chiefe Lord shall have no power to distraine the tenant in demesne, so long as the said tenant doe offer him his services due and accustomed. And if the chiefe Lord doe require more than the Mesne ought to doe unto him, the tenant in this case shall have the same exception against the Lord, which the Mesne should have had. And if the Mesne have nothing in the Kings power, yet the tenant shall purchase his writ of Mesne to the Shirefe of that County wherein he is distrained. And if the Shirefe return that he hath nothing, whereby he may be summoned, yet a writ of Attachment shall be awarded, & if the Shirefe returne that he hath nothing whereby he may be attached, yet a writ of graund distresse shalbe awarded, and Proclamation shall be made in forme aforesaid. If the Mesne have no lands in the Countie wherein the distresse is taken, but hath land in some other Countie, then an Originall writ shall be awarded to summon the Mesne, to the Shirefe of that Countie wherein the distresse is taken: & when that Shirefe shall returne that he hath nothing in his countie, then a Judiciall writ shall be awarded to summon the Mesne, to the Shirefe of that countie wherein it is testified that he hath land, & the suit shall proceed in that countie untill it is come to the graund distresse & proclamation, as before is said of the Mesne having land in the same countie where the distresse is taken, and nevertheless suit shall be in the countie wherein he hath nothing (as before is said of the Mesne having nothing) untill it be come to the graund distresse & proclamation, & so after proclamation made in both counties, the Mesne shall be forseidged of his

fee and service. And whereas it chanceth sometime that the tenant in demesne is enfeoffed to hold of the Mesne by lesser service than the Mesne ought to doe unto the chiefe Lord, when after such proclamation the Tenant hath attuned unto the chiefe Lord (omitting the Mesne) the tenant must of necessitie answer the chiefe Lord the services and customes, which the Mesne befoze ought to haue done unto him. And after the Mesne doth come into the Court, and doth acknowledge that he ought to acquit his Tenant, or is adiudged to acquit him, if after such acknowledging or iudgement, there be complaint made that the Mesne hath not acquitted his tenant, then a iudiciall writt shall be awarded, that the Schirife shall distrain the mesne to acquit the tenant, and to appeare befoze the Iustices at a certaine day, to shew why he did not acquit him befoze. And when he appeareth at the distresse, the plaintife shall be heard, and the plaintife can verifie that he hath not acquitted him, hee shall yield him damages and by award of the Court, the Tenant shall goe quite from his Mesne, and attune unto the chiefe Lord, and if he do not appeare at the first distresse, another writt of distresse shall be awarded, and proclamation shall be made, and as soone as that is returned, iudgement shall be given as is aforesaid. And it is to be noted, that by this Statute, tenants be not excluded, but they may haue their warrantie of the Mesnes and their heires if they be impleaded of their tenements as they haue had befoze, neither be the tenants excluded, but they may sue their Mesnes according to the custom befoze time used, if they see that the proceesse in ancient time used, any moze staile them than that which is given by this Statute. And it is to be understood, that by this Statute, there is no remedie provided for all Mesnes but onely in case where there is but one onely Mesne betwixt the Lord that doth distraine and the tenant, and but in such where the Mesne is of full age, and but in such case where the tenant without the prejudice of any other than of the Mesne, may attune to the chiefe Lord, the which is said for women that be tenants in dower, tenants by the curtesie of England, or otherwise tenants for terme of life, or in fee taile, for whom by this Statute no remedie is provided. Westminster. 2. 13. Ed. 1. 9.

The tenant holding by lesser service than the Mesne doth.

Warrantie of the Mesne.

The tenant may take his remedie given by the Common Law.

For which Mesne this Statute is provided.

Mildernix and Powle Davies.

NO person or persons resident or dwelling within this Realme, shall make, weave, or cause to be made or weaved, any Cloth, or Clothes for Hayles, or furniture of Shippes, or other sayling vessels, called or knowne by the name or names of Mildernix and Powle Davies, or any of them, but such as now doe use the same, or any of their servants, or such as shall hereafter be apprentices, and trained & brought up in the Trade and art of making of the said Clothes by the space of vij. yeares together at the least: nor shall set any man to worke in the making or weaving of any such Clothes being not a workeman trained up befoze the first day of August next comming in the said art and mystery, upon pain that every such person offending, or doing the contrarie shall forfeit for every default xx. s. for suretie uponeth. 1. Jac. 24.

2. No person or persons shall make or weave the said Clothes of any other stuffe then of good & sufficient Hempe, nor of any lesse length then xxij. yards, nor of any lesse breadth then three quarters of a yard: nor the Weaver or other person or persons shall sell, or offer to sell any of the said Clothes, befoze the stuffe be well beaten, scoured, bleached, & the Cloth well dyen, with a brazen or Iron shuttle, upon pain that every person offending, or doing the contrarie herein, shall forfeit & lose for every such peece of cloth woven, made, or sold contrarie to the forme of this Act v. s. And the moitie of the benefit of all the forfeitures and penalties in this Act contained shall

Monasteries, &c.

The forfeitures.

shall be unto the h. his heires and successors: And the other moitie unto such as will sue for the same in any of the kings courts, by W. B. A. J. or otherwise, where in no W. B. A. J. shall be allowed. 1 Jac. 24.

Monasteries, Colledges, Freechappels, Chauntries, &c.

Monast. given to the h. which have not in lands above C. l. by the years.

AN 27. H. 8. it is enacted, that the said h. 8. shall have and enjoy to him, and his heires for ever, all such monasteries, priories, and other Religious houses of monkes, Canons, & Runnes, which have not lands, tenements, rents, tithes, portions, & other hereditaments, above the cleere yerely value of C. l. And in like maner shall have all the sites & circuits of every such Religious houses, & all & singular the manors, granges, meases, lands, tenements, rents, reuelitions, services, tithes, pentiones, Churches, chappels, advowsons, patronages, annuities, rights, conditions, & other hereditaments, belonging to every such monastrie, priorie, or Religious house, in as large maner, as the abbots, priors, abbesses, & other Conventualls of such religious houses ec. now have or ought to have the same, in the right of their houses: And also he shall have to him & to his heires, all such monasteries, Abbies, & priories, which at any time within one yeare next before the making of this act, have bin given and granted to his Majesty by any abbot, prior, Abbess, or prioress, under their Couent seale, or that otherwise have bene suppressed, or dissolved, & all the manors, lands, &c. & hereditaments to any of the same monasteries &c. belonging. And the king shall have the aduall & reall possession of all the said Religious houses, so that he may give & dispose them at his pleasure, without further inquisitions or offices to be found for the same. And the king shall have to his own vse all such ornaments, Jewels, goods, cattels, & debts, which appertained to any of the chiefe gouernours of the said monasteries, or religious houses, in the right of their said monasteries, or houses, at 1 Martij Añ Dom. 1535. or at any time since thence, wheresoever they shal come, except onely such beafts, graine, & woods, & such other like cattell & reuenues, as they have sold before the said first day of March, or since, for the reasonable expences of any of the said houses ec.

Monast. suppressed within a yeare before.

Monasteries goods given to the king.

Confirmation of the kings letters patents made of Abbey lands.

2 And in the same Statute it is further enacted, that euery person and bodies politique, & corporate, which have, or shall have any Letters patents of the king of any of the sites, circuits, manors, lands, &c. or other hereditaments which appertain to any monasteries, abbies, or priories, heretofore suppressed, or that shall be suppressed by this Act, shall have and enjoy the said sites, lands, &c. and all other hereditaments contained in their Letters patents, according to the tenor of the same Letters patents, and shall also have all such actions, suits, entries, and remedies to all intents for any thing contained in every such Letters patents, in like maner as the chiefe Gouernours of any Religious houses had the same, or ought to have had, if they had not bin suppressed. 27. H. 8.

Other mens titles saved.

3 Saving to every person & person, & bodies politike, their heires & successors (other then the Abbots, priors, Abbesses, prioresses, & other chiefe Gouernours of the said Religious houses, specified in this act, and the conents of the same, & their successors, & such as pretend to be founders, patrons, or donors of such Religious houses, or of any lands, tenements, or hereditaments belonging to the same, & their heires & successors) all such right, title interest, possessions, leases for yeres, rents, services, annuities, commoditties, fees, liberties, & livings, pension, portions, corporations, sinodes, priories, and all other profits, as they or any of them hath, ought, or might have had, in or to any of the said monasteries, or other religious houses, or in, or to any manors, lands, or other hereditaments, that appertaine to any of them as if the same houses had not bin suppressed by this act, but had continued. And saving unto every person & persons being founders, patrons, or donors of any abbey, priorie,

The holders right of some things saved.

priorie,

priors, or other religious houses suppressed by this act, their heires, & successors, all such right, title, interest, possession, rents, annuities, fees, offices, leases, commons, & all other profits, which any of them haue, or should haue had, without fraud or conuaince by any means, otherwise then by reason or occasion of the dissolution of the said Abbies, priories, or other religious houses, into or vpon any of the said Abbies, &c. whereof they be founders, patrons, or donors, or into or vpon any lands, tenements, or other hereditaments, belonging to the same, in like maner, as other persons & bodies politike, be saued by this act, as is before reherced, And as if the same Abbies, priories, or other religious houses had not bene suppressed by this act, but had continued in their essentiall bodies and estates. 27. H. 8.

4 All craftie and fraudulent recoveries, feoffments, estates, gifts, graunts, & leases, and euery of them, made by any of the chiefe Gouernors of such religious houses, vnder their couent seales within one yeare next before the making of this Act, shall be utterly void. 27. H. 8.

5 Such persons as haue Leases for terme of life, or yeares, whereupon is reserved the old rent, and seruices accustomed, & such as haue any offices, fees, or coronies, that hath bin accustomed, in such Religious houses, and haue bought any line, rie or living in any such houses, shall haue and enioy the same, as if this act had neuer bin made. 27. H. 8.

6 But this Act shall not be prejudiciall to any Abbots, or Priors of any Abbies or Priories, being certified into the Exchequer, to haue in possessions and profits spirituall and temporall, above the cleere yerely value of 200. l. concerning such Celles of religious houses, belonging to their Monasteries or Priories, in which Celles the Priors, or other chiefe gouernors thereof, be vnder the obedience of the abbots and priors to whom such Celles belong, and cannot sue nor be sued, and be priors or Gouernors datine or remouable, and account of the profits of such Celles at the pleasure of the abbots & Priors, &c. 27. H. 8. a Stat. not imprinted. S. Husb. 1.

7 And 31. H. 8. 13. It is enacted, that the King shall haue and enioy to him his heires and successors for euer, all and singular such late Monasteries, Abbathies, priories, priories, priories, Colledges, Hospitals, houses of friers, and other religious and ecclesiasticall houses and places, which sithence 4. Feb. Añ. 27. H. 8. haue bin dissolved, suppressed, renounced, relinquished, forfeited, ginen vp, or by any other means come to his highnesse: And in like maner shall haue and enioy, all the sites, circuits, precincts, manors, lordships, granges, meases, lands, tenements, medowes, pastures, rents, reuerfions, seruices, woods, tithes, pensions, portions, patronages appropried, vicarages, churches, chappels, aduowsons, nominations, patronages, annuities, rights, interests, entries, conditions, commons, lates, courts, liberties, priuiledges, franchises, and other whatsoever hereditaments, which appertained to the said laid late Monasteries, and other religious houses &c. or to any of them, in as ample maner, as the late Abbots, Priors, and other ecclesiasticall gouernors of such Monasteries, and religious houses, had, held, or occupied, or of right ought to haue had, holden, or occupied, in the right of their said Monasteries, or religious houses, at the time of the said dissolution, or by any other meane coming of the same to the King, sithence the said 4. day of Februarie. And not only all the said late Monasteries, Abbathies, & other religious houses, sites, circuits, manors, lands, and all other the premisses forthwith presently, but also al other Monasteries, and all other religious and Ecclesiasticall houses and places, which hereafter shall be dissolved, suppressed, or by any mean come vnto the King. And also all the sites, circuits, manors, lands, & other hereditaments whatsoever belonging to any of them, whensoever, & as (one as they shall be so dissolved, or by any other meane come vnto the King) shall be bested & aduoged in the very actuell and reall seisin & possession of the King his heires and successors for euer, in the state and condition as they now be, and as though

fraudulent conuainces.

Leases, offices, fees, coronies, &c.

Celles of houses vnder the obedience of others.

All religious houses which before were, or should be dissolved, given to King - H. 8.

Monasteries, &c.

though all the said late Monasteries, Abbathies, and all other religious and Ecclesiasticall houses and places so dissolued and suppressed, as also which hereafter shall be dissolued, suppressed, &c. or come vnto the King, Shires, Circuits, Precincts, Manors, Lordships, Graunges, Lands, Tenements, and other the premises, and euery of them, were in this present Act specially & particularly named by expresse wordes.

Other mens
titles saved.

8 Having to euery person or persons, and bodies, politique, and the heires and successours of euery of them (other then the said late Abbots, and Ecclesiasticall Governours of the said late Monasteries, and other religious and Ecclesiasticall houses and places, & the successours of euery of them, and such as pretend to be founders, Patrons, and Donors of such Monasteries, & other Ecclesiasticall houses and places, or of any manors, messuages, lands, tenements, & other hereditaments belonging to the same, their heires, & successours, and the heires, & successours of euery such Patron, Founder, or Donor, & the now Abbots, and other Ecclesiasticall Governours of such Monasteries & religious houses & places, which hereafter shall be dissolued, or come to the King, and such as pretend to be founders, Patrons, or Donors of such Monasteries and Ecclesiasticall houses and places, or of any manors, messuages, lands, tenements, or other hereditaments, to any of them belonging, their heires and successours) all such right, title, claime, interest, possessions, rents, charges, annuities, leases, farmes, offices, fees, liveries, and linings, portions, portions, co:obies, commons, sinodes, priories, and other profits, which they or any of them haue, claime, ought, may, or might haue had, in, or to the premises, or to any part or parcel thereof, in such like manner, to all intents, as if this Act had neuer bin made (rents seruices, rents secks, & all other seruices & suits onely excepted.) 31.H.8.13.

Leases of
lands not busi-
ally let.

9 If any Abbot, Prior, Abbess, Prioresse, or other Ecclesiasticall Governour or Gouvernelle, of any Monasterie, Abbathie, or other Religious or Ecclesiasticall house or place which hereafter shall be dissolued, suppressed, or come to the King, within one yere next before the first day of this Parliament (being 28. Aprilis, An Domini 1539.) haue made, or hereafter do make any lease or graunt vnder his couent or common seale, or otherwise for terme of yeres, or life, or lives, of the scite, circuit, and precinct of his said Monasterie, or Ecclesiasticall house, or place, or of any part thereof, or of any manors, messuages, lands, or other hereditaments, belonging to his said Monasterie, or Ecclesiasticall house or place, which manors, messuages, graunges, lands, &c. or other hereditaments, were not before the same lease commonly used to be let to ferme, but reserved in the manurance, tillage, or occupation of the said Governour or Gouvernelle, for the maintenance of Hospitalitie, and good house keeping, or now be in the manurance, tillage, or occupation of the said Governour or Gouvernelle, for the maintenance of Hospitalitie, &c. or within one yere next before the first day of this Parliament, hath made, or hereafter shall make any lease or graunt, for terme of life, or for terme of yeres, of any Manors, Messuages, Lands &c. or other hereditaments, whereof and in the which any estate or interest, for terme of life, yere or yeres, at the time of the making of any such graunt or lease, then had his being or continuance, or hereafter shall haue his being or continuance, and then was not determined or expired, or at the time of any such lease to be made, shall not be determined or expired: or within one yere next before the first day of this Parliament, hath made, or hereafter shall make, any lease or graunt for terme of life, or for terme of yeres, of any manors, messuages, lands, or other hereditaments, vpon the which leases or graunts the vsual and old rents and farmes accustomed to be yielded and reserved, by the space of twentie yeres, next before the first day of this Parliament, is, or be not, or hereafter shall not be thereupon reserved and yielded: or within one yere next before the first day of this

Leases in re-
uerision.

Leases not re-
serving the
old rent.

this Parliament hath made, or hereafter shall make any bargain or sale of his woods, which woods be yet growing and standing, then all and every such lease, graunt, bargain, and sale of woods, shall be utterly void. 1. H. 8. 13.

10 All feoffments, fines, and recoveries, had, made, knowledged, or suffered within one yeare next befoze the first day of this Parliament, or hereafter to be made, knowledged, &c. by any Gouverneur or Gouvernesse, of any Monastrie, or other Religions or Ecclesiasticall house or place, which hereafter shall be dissolved, suppressed, &c. or come to the King, without the kings licence vnder his great Seale, of any manors, meases, lands, tenements, or other hereditaments, which the said Abbots, and other Ecclesiasticall governours and gouvernesse, or any of them, or any of their predecessours, had or held, or haue and hold of the gift, graunt, and confirmation of the King, or any of his progenitors, or of the which Monasteries, or Ecclesiasticall houses, the King is founder or patron, or which manors, meases, or hereditaments, were or be of the antient foundation or possession of the same Monasteries, Abbaties, or Ecclesiasticall houses or places, shall be utterly void. 1. H. 8. 13.

Woods.

Assurance of lands without the Kings licence.

In the same Statute the like purview was made in euery respect, to avoid all Leases of lands not vsually let, leases in reversion, Leases not reseruing the old rent, sales of Woods, assurances of lands of the kings gift, or auient foundation without the Kings licence, made by any Abbots, or Gouvernours of any Religious houses, which were before the making of the said Statute dissolved within one yeare next before the dissolution or comming to the Kings hand of the same houses.

11 But if any Abbot, Prior, Abbess, Prioresse, or other Gouverneur or Gouvernesse abovesaid, within one yeare next befoze the first day of this Parliament, or if any late Gouverneur or Gouvernesse, &c. which in one yeare next befoze any such dissolution or comming to the King of the premises haue made any demise, lease, or grant, to any person for terme of yeares, of any manors, meases, lands, or other hereditaments aforesaid, which person at the time of the said demise &c. had the same to terme, for terme of yeares, then not expired: Then the said person to whom any such demise &c. hath bene so made shall haue the same for terme of xvj. yerres, only from the time of the making of the said demise &c. if so many yeares be by the same demise &c. limited and expressed, or else for so many yeares as in such demise bene expressed, so that the old rent be thereupon reserved, & so that the same lease exceed not xvj. yeares. And if any Abbot or other late gouverneur or gouvernesse, within one yeare next befoze any such dissolution or comming vnto the King of the premises, haue made any demise, lease or graunt, to any person or persons for terme of life or liues, of any manors, meases, lands, or other hereditaments aforesaid, which person or persons, or any of them, at the time of the said demise, lease, or graunt, had & held the same for terme of life or liues, or for terme of yeares then not expired: Then the said person or persons, to whom any such lease or graunt hath bene so made, shall haue and hold the same for terme of their life, or liues, so that the old rent be thereupon reserved. And all and singular leases and graunts made by copie to any person or persons, of any of the said mesuages, lands, tenements, &c. or other hereditaments aforesaid, for terme of life or liues, which by the custome of the countrie hath bin vsed to be demised, letten, or granted by copie of courtrole, shall be good and effectuell in the law, so that the old rent be reserved by and vpon every such lease and leases: This act &c. notwithstanding. 1. H. 8. 13.

Leases made within the peres to the old leases.

A lease for life to the old lease.

Grants by copie.

12 Provided alwaies, that all leases heretofore made of any the premises, by the authoritie of the Kings court of Augmentations, And all such leases, feoffments,

Monasteries, &c.

**Leases al-
lowed and in-
rolled in the
Court of aug-
mentations.**

ments, & woodsales made by the said gouernours or gouernesses or any of them, vn-
der the consent or common seale of any of them, within one yeare next before the dis-
solution or comming to the king of the said Monasteries or Ecclesiasticall houses,
which said leases, graunts, seoffements, and woodsales, haue bin examined, inrol-
led, decreed, or affirmed in the Kings court of Augmentations, And the decrees of
the same put in writing, sealed with the seale of the said court, shall be good and
effectuall, according to the same decrees, any clause in this act &c. notwithstanding.
31.H.8.13.

**Assurances to
others by the
kings licen-
ces.**

13 All persons their heires and assignes, which sitthence the said iij. of februa-
rie (viz. in An 27.H.8.) by licence, pardon, confirmation, release, assent or consent
of the king vnder his great seale heretofore given or made, or hereafter to be had or
made, haue obtained or purchased by indenture, fine, seoffement, recovery, or other-
wise of the said late Abbots, Priories, &c. or other Gouernours or Gouernesses, of a-
ny such Monasteries, or other Ecclesiasticall houses, any Monasteries, Priories,
Colledges, hospitals, manors, lands, or other hereditaments, shall haue and enioy
the same according to such writings and assurances as bin thereof before the first
day of this Parliament, or hereafter shall be had or made. Sauing to euery person
and persons and bodies politike, their heires and successours (other then the said late
Abbots, Abbesses, and the successours of euery of them, and such as pretend to be
founders, patrons, or donors of the said Monasteries, or any of them, or of any ma-
nors, messuages, or other hereditaments, late belonging to any of them, and the
heires and successours of euery such founder, patron, or donor,) all such right, title,
interest, possession, rents, &c. and other profits, which any of them haue, ought, or
mought haue had, in, or to any the said monasteries, or other hereditaments at a-
ny time before any such purchase, indentures, fines, seoffements, recoveries &c.
31.H.8.13.

**All colledges,
chantries, &c.
in the disposi-
tion of king
&c.**

14 An 37.H.8. 4. It is enacted, that all Colledges, Fræchappels, Channtries,
Hospitales, Fraternities, Brotherheads, Guilds, and stipendarie Priests made
to haue continuance for euery, that ought to be contributores to the payment of the
first fruits and Tenthes, And all the mansion houses, manors, lands, tenements,
and all other hereditaments, whatsoever they be, appertaining, or that did apper-
taine, or were appointed to any such Colledge, &c. or other the said promotions, or
to any of them, or knowne, or taken as parcell or member of any of them, and to the
said Colledges &c. or to any of them vnitied (which betweene the iij. of februarye,
Anno 27.H.8. & xxv. Decemb. 37.H.8.) by reason of any entrie, expulsion, bar-
gaine, sale, seoffement, fine, recovery, lease, or other conuiance thereof had, or
made be dissolved, relinquished or extirped (other then such of them as now be or
were in the possession of the king, or that been graunted or assured by his licence,
consent, letters patents, to any other persons, or haue been lawfully recou-
red by any person, by any former right, without fraud or couin, or by the Kings
licence) shall from henceforth be adiudged, and also be in the actual & reall posses-
sion of the king, and of his heires and successours for euery, in as ample manner, as the
said Priests, Wardens, Ministers, Gouernours, Rulers, or any other In-
cumbents, or any of them, or the Patrons, Donors, or founders of them, or of any
of them, at any time sitthence the said iij. day of febr. 27.H.8. enioyed, or now en-
ioyeth the same, & as though all the said Colledges, Channtries, Hospitales, Fræchap-
pels, fraternities, brotherhoods, guilds, and other the said promotions, and the said
manors, lands, tenements, hereditaments, and other the premises, and euery
of them, were in this Act particularly and certainly named by expresse words.
37.H.8.4.

15 All Colledges, Fræchappels, and Channtries, hauing being, or in Esse, with,
in firs yeares next before the first day of this Parliament (being the fourth of No-
uember,

member, An Dom. 1547. which were not in actual and reall possession of the late H. 8. nor of the king that now is (viz. E. 6.) nor excepted in the said former act of 37. H. 8. other then such as by the kings commissions shalbe transported or chaunged, and all manors, lands, and other hereditaments, belonging to them, or any of them. And also all manors, lands, and other hereditaments, by any manner of assurance, will, devise, or otherwise suffered, had, made, knowledged, or declared, given, or appointed to the finding of any Priest to have continuance for ever, and wherewith, or whereby any Priest was maintained or found within v. yerres next before the first day of this Parliament, which were not in the actual and reall possession of the said late king, nor of the king that now is. Also all annual rents and profits, at any time within five yerres next before the beginning of this Parliament, employed, paid, or bestowed, toward or for the maintenance or finding of any stipendary Priest, intended by any act or writing to have continuance for ever, shall immediately after the feast of Easter next comming (being 1. Aprilis, An Domini 1548.) be adiudged, and also be in the verie actual and reall possession and seisin of the king, his heires and successors for ever, without any office, or other inquisition thereof to be had or found, and in as ample maner, as the Priests, Vicars, Masters, Ministers, Gouernours, Rulers, or other Incumbents of them, or any of them, at any time within five yerres next before the beginning of this Parliament, had, occupied, or enjoyed, or now hath, occupieth, or enjoyeth the same, and as though all the said Colledges &c. and the said lands, tenements, hereditaments, and other the premisses, and euerie of them, where in this Act particularly rehearsed by expessed names: But this Act shall not extend to any lands appointed for the finding of any Chaunterie, or Stipendary Priest, which by any former and good title, were lawfully reconuered from any such Priest, before primo Octobris 37. H. 8. which Lands were not chargeable to the payment of the perpetuall Tenths. 1. E. 6. 14.

All Colledges, Chauntries, &c. giue to H. Edw. 6. 4. Nouemb. An. Do. 1547.

finding of a Priest to continue for ever.

Lands reconuered from a Priest, or Chaunterie.

16 Where any lands, tythes, pensions, portions, rents, profits, or other hereditaments, by any assurance, will, devise, or otherwise, at any time heretofore made, were given or appointed for the maintenance or finding of one Priest, or of diuers Priests, for terme of certayne yerres yet continuing, and that any Priest hath bin maintained or found with the same, or with the profits thereof, within five yerres last past: The king from the said feast of Easter next comming, shall haue in euerie behalfe, during all such time to come, euerie such things, tenements, hereditaments, and profits, as the Priest or Priests ought or should haue had, for or toward his or their maintenance, & for no longer time, nor for any other profit thereof to be taken. And as soon as the time assigned for the maintenance of the Priest, or Priests, shalbe expired, then it shalbe lawfull to euerie person to whom any manors, lands, and other hereditaments, should haue belonged (if the said former Act, and this Act had neuer bene made) to enter into, and enioy the same, without any Luerie, Ouster le maine, Peticio, or other suit to be made to the king in like maner, to all intents, as though the said former Act and this Act had neuer bene made, and as though the king had neuer had any seisin or possession thereof. And the king shal haue all such goods, cattels, iewels, plate, ornaments, and other moueables, as were or be the common goods of euerie such Colledge, Chaunterie, free Chappell, or Stipendary Priest, belonging or annexed to the furniture or seruice of their seuerall foundations, the proprietie whereof was not changed before the 8. of Decemb. An Do. 1547. And all such debts as should be paid of the goods of any of the said colledges &c. due by any contract, specialtie, or promise, made before the said 8. day, shalbe paid by the Treasurer of the Court of Augmentations. 1. E. 6. 14.

finding of a Priest for certayne yerres.

The goods of Chauntries, free Chappels, &c.

The debts of Chauntries, free Chappels

17 The king his heires and successors, from the said feast of Easter, shall haue and enioy for ever, all lands, tenements, rents, and other hereditaments, which by

Universities, obites, lamps, lights, any

Monasteries, &c.

any maner of assurance, conueiance, wills, will, deuice, or other wise, at any time here: of soze made, suffered, knowledged, or declared, were giuen, or appointed to go or to be employed wholly to the finding or maintenance of any anniuersarie or obite, or other like thing, intent, or purpose, or of any light or lampe in any church or chapel, to haue continuance for ever, which hath bene kept or maintained within five yeares next befoze the first day of this Parliament. But it shall not be lawfull to any person, bodie politique or corporat, by reason of any remainder, vse, or condition, on, to enter into, or challenge any lands, tenements, or hereditaments, for the not doing, not naming, or not finding of any priest or priests, or pome folkes, obite, anniuersarie, light or lampe, to be founden or done. *1 E. 6. 14.*

No reuerie for default of obites, lamps, lights.

Part of the issues of lands giuen to the finding of obites, &c. *18* Where but one part of the issues or reuenues of any lands, or other hereditaments, hath by any of the waies abovesaid, bene giuen, or appointed to be bestowed to the maintenance of any anniuersarie, or obite, or other like thing, or of any light or lampe in any church or chapel, and to haue continuance for ever: Then the R. shall from the said feast of Easter for ever, haue and enioy every such summes of money, that in any one yere, within five yeares next befoze the first day of this Parliament, hath bene bestowed about the maintenance of any such anniuersarie or obite, or other like thing, or of any light or lampe, to him, his heirs and successours for ever, as a rent charge to be paid yerely at the feast of S. Michael the Archangel, and the Annunciation of our Ladie, by even portions. And it shall be lawfull to the R. his heirs and successours, for non-payment of any such sum of money, to distrain in the said lands and tenements, of the issues and reuenues whereof the said anniuersarie or obite, or other like thing, or any such light or lampe, was maintained, And for lacke of sufficient distresse therein, by the space of one moneth next after that any of the said rents should be paid, and be not paid within the said moneth: When it shall be lawfull to the R. his heirs and successours, to enter into, and possesse as much of the lands &c. wherof the said rent should be paid, as the rent that should be paid out of the same shall come to in yerely value, and the same &c. to hold and keepe for ever, or for such estate as the R. his heirs and successours, had, or ought to haue had in the said rents. *1 E. 6. 14.*

Money giuen to the finding of a priest, or obite, light, lampe by a Corporation.

19 The King, his heirs and successours, shall from the said feast of Easter, haue and enioy, all such summes of money, profits and commodities, which by vertue of any conueyance, composition, will, deuise, or otherwise, heretofore haue bene giuen or appointed to haue continuance for ever, which in any one yere, within five yeares next befoze the beginning of this Parliament, hath bene bestowed by any Corporations, Guilds, Fraternities, Companies, or Fellowshipships of Wythes, or any of them, or by the Masters, Wardens, Gouernours, or other Officers, or by the Master &c. of any of them, about the maintenance of any Priest, Anniuersarie, Obite, Lampe, or Light, or other like thing: To be paid yearely as a rent charge at the feasts of S. Michael, and the Annunciation of our Ladie, by even portions. And it shall be lawfull to the King, his heirs and successours, for non-payment of any such summe of money, profit, or commoditie, to distraine in all manors, lands, and tenements of every such Crafts, Corporations, &c. or any of them, by whom, or by the Wardens, Masters, &c. of the which any such summe of money, profit, or commoditie haue bin paid or imploied. And every of the said summes of money, profits, and commodities, shall from the said feast of Easter, without any inquisition or office to be found, be adiudged to be in the actuall and reall possession of the King &c. *1 Ed. 6. 14.*

Fraternities, brotherhoods, guilds, giuen to the King.

20 The King shall from the feast of Easter haue and enioy to him, his heirs and successours for ever, all fraternities, brotherhoods, and Guilds, being within any of his dominions, and all houses, lands, tenements, and other hereditaments belonging to any of them (other then such Corporations, Guilds, Fraternities, Compa-

Companies, and Fellowships of Mysteries or Crafts, and the Mannors, Lands, Tenements, or other Hereditaments pertaining to them aboue mentioned: And the same shall be iudged in the actuall and reall possession of the King, his heires and successours, from the said feast of Easter for ever, without any inquisition or office thereof to be found. 1. Ed. 6. 14.

21 This Act shall not extend to any Colledge, Hostell, or Hall, being within either of the Uniuersities of Cambridge and Oxford, nor to any Chauntreie founded in any of the Colledges, Hostells, or Halls, bearing in the same Uniuersities: Nor to the free Chappell of Saint George, situate in the Castle of Windsor: Nor to Saint Marie Colledge of Winchester, besides Winchester, of the foundation of Bishop Wickham: Nor to the Colledge of Eaton: Nor to the Chappell in the Sea in Petton, within the Isle of Ely, in the Countie of Cambridge: Nor to any Mannors, Lands, Tenements, or Hereditaments, to any of them belonging: Nor to any Chappell ordained for the ease of the people, dwelling distant from the Parish Church, or such like Chappell, whereunto more Lands or Tenements, then the Churchyard, or a little House or Close doth belong: Nor to any Cathedral Church or Colledge, where a Bishops See is, within England, or in Wales: Nor to the Lands, Tenements, or other Hereditaments, of any of them, other then to such Chauntries, Obites, Lights, and Lamps, or any of them, as at any time within five yerres next before the beginning of this Parliament, haue bene had, vsed, or maintained, within any of the said Cathedral churches, or the issues, reuenues, or profits of any of the said Cathedral Churches, to which Chauntries, Obites, Lights, and Lamps, this Act shall extend. And the King at any time (during his life) may alter the names of all Chauntries, and the foundations of the same, bearing in any of the Colledges, Hostells, or Halls, of any of the said Uniuersities. And also may giue authoritie to certaine Commissioners, to alter the nature and condition of all Obites, as well within the Uniuersities of Oxford and Cambridge, as in any other place within England and Wales, being not suppressed ne annihilated by vertue of this Act, And the same Obites so altered, to dispose to a better vse, as to the reliefe of poore Students, or otherwise. Neither shall this Act be preiudiciall to the generall Incorporation of any Citty, Borough, or Towne, within any the Kings Dominions: Nor shall extend to any the Lands or Hereditaments of any of them. Neither shall this Act preiudice the Lord Cobham, &c. concerning the late Colledge of Cobham in Kent, or the lands thereof. Neither shall it extend to the Chauntreie or Colledge of Artilborough in Norfolk, which King Henrie the eight gaue to the Carle of Suffex and his heires. 1. E. 6. 14.

22 This Act shall not extend to any Lands, or other Hereditaments which the said Pastors, Wardens, Ministers, Chauntreie Priests, Incumbents, or other the said Gouernours or Officers of the premises, haue in fee simple, fee taile generall or speciall, for terme of life, terme of yeares, or otherwise to their owne proper vses, by inheritance or purchase, and not being at any time annexed to their said Colledges, free Chappells, Chauntries, or other the premises: Nor shall extend to any Mannors, Lands, Tenements, Possessions, Rents, Annuities, or yearly pensions, or to any yearly summes of money, being not parcell of any of the said Colledges, and other the premises heretofore giuen by the said late King, or giuen, or hereafter to be giuen by the R. our Soueraigne Lord (viz. Ed. 6.) to any of the said Deanes, Pastors, Wardens, Ministers, Chauntreie Priests, Incumbents, Gouernours, or Rulers of the premises, for terme of life only, vnder his great Seale, or other Seales. 1. E. 6. 14.

23 Neither shall this Act extend to any lands or other hereditaments, that any Pastor, Deane, Prebendarie, Warden, or Chauntreie or Stipendarie Priest of a

Colledges & Chauntries within the Uniuersities. Windsor Colledge. Winchester Colledge. Eton Colledge. Chappell in the Sea. Chappell of ease.

Cathedral Church or Chappell.

Incorporations of Cities, boroughs, &c. Cobham. Artilborough.

Lands whereof the Gouernours were seised to their owne vses.

Pensions, rents, summes of money giuen by the King.

Cathedral lands.

Monasteries, &c.

ny Colledge, or other Corporations have or hold of any person, by Copy of Court Roll, or at will, according to the custome of any Spanow, nor give any Copihold lands to the King, but euerie of the said persons shall enjoy the same during their liues, towards their pention and yerely living, paying their rents, and doing their customes and seruices thereof due. 1.E.5.14.

Other mens
rights saved.

24 Sauing to all persons, bodies politique and corporat, their heires and successors (other then the Pastors, Wardens, Ministers, Gouernours, Rulers, Priests, Incumbents, Fellowes and Brethren of the said Colledges, Chauntries, fr̄e Chappels, and other the premisses, given to the King by this Act, and the successors of euerie of them, and other then such as be, or pretend to be Founders, Patrons, or Donors of the premisses, or any of them, and the heires, successors, and assignes of euery of them, and other then such as be or were Feoffees, Recouerees, Comissers, Graunters, or Veneries, of any of the premisses, to, or for any of the uses above mentioned, or to the use of any of the said Colledges, fr̄e Chappels, Chauntries, or other the premisses, given by this Act to the King, or to the intent to imploy the rents or profits thereof, to the use of the Pastors, Rulers, Incumbents, or Ministers of any of them, and other then such as pretend to haue estate, right, title, interest, use, possession, or condition, of, in, or to the premisses, or any parcell thereof, by reason of any feoffment, fine, bargain and sale, or by any other meanes or conueyance to them made of any estate of inheritance, without the said late Kings licence or agreement, and without the licence or agreement of the King that now is, by any of the said Deanes, Pastors, Wardens, Gouernours, Rulers, Priests, or Incumbents, or by the Founders, Donors, or Patrons of any of them) all such right, title, claime, possession, interests, rents, annuities, commodities, commons, offices, fees, leases, liueries, liuinges, pentions, portions, debts, duecties, and other profits, which they, or any of them lawfully haue, or of right ought to haue, or might haue had in any of the premisses, or in any parcell thereof, in such like maner, to all intents, as if this Act had neuer been made, and as though the said Chauntries, Colledges, and other the said promotions, had still remained in their full being. And sauing to euerie Patron, Donor, Founder, or Gouernour of any such Colledge, Chauntie, fr̄e Chappell, Stipendarie Priest, and other the premisses, given to the King by this Act, and the Donor, Feoffor, and giuer of the foresaid Lands, Tenements, and Hereditaments to the m, or any of them, or to any uses or purposes before mentioned, all such rents seruices, rents secke, rents charge, fees, annuities, profits and offices, and also leases for terme of liues and yerces, whereupon the accustomed rent or more is reserved, or out of any of them lawfully had and enjoyed of any the said promotions, or out of any the said Lands, tenements, or hereditaments, before the first day of this parliament, 1.Ed.6.14.

The founder
e donors right
in some things
saved.

All rents re-
served.

25 As well euerie Patron, Donor, Founder, and giuer of any of the said promotions or premisses, or giuer, donor, or feoffor, of any their lands or other hereditaments, as euerie person which before the making of this Act lawfully had any rent or other yerely profits of any Chauntries, Colledges, fr̄e Chappels, or other the premisses, or out of any lands or other possessions of any of them, shall enjoy the same in like maner as they ought to haue done, if the said Colledges &c. and other the premisses had still continued in Esse. 1.Ed.6.14.

Leases not
referring the
old rent.

26 If any of the said Pastors, Wardens, Ministers, Rulers, Gouernours, priests, incumbents, or owners of any such colledge, chauntie, fr̄e chappell, or of any the premisses, given to the K. by this Act, sithence 23. Noueb. in 37. H.8. haue made any lease vnder their common seale, or otherwise for terme of yeares, life, or liues, of their said Colledges, Chauntries, fr̄e Chappels, or of other the premisses, or of any lands or hereditaments, to any of them annexed or appertaining, vpon the

the which leases the vsuall and old rents and seruices accustomed to be yelded and reserved, or more, by the space of xx. yeres next befoze the said 23. day of Nouember, be not reserved & yelded, the same shalbe utterly void. And all other leases & grants heretofore made, of any the premises given to the k. by this act, shalbe as good and effectuell in the law, to all intents, as if this act had neuer bene made: this Act or any other act &c. notwithstanding. 1.E.6.14.

Other leases confirmed.

27 All such tenthes, seruices, issues, profits, and other summes of money, payable out of, or for the premises in the Exchequer, shall continue, & be yerely paid in the same Court, in the same maner, as heretofore hath bene vsed: any law, custome, vntie of possession in the King, or other thing &c. notwithstanding, and as though the said promotions, lands, and other the premises, had not come to the k. hands. 1.Ed.6.14.

Tenthes and other duties payable as in former time.

28 All Letters Patents made by King Henry the eight, or by the King that now is, or hereafter to be made by his highnesse to any person or persons, or to any Archbishop or Bishop of any of the said Colledges, Chauntries, free Chappels, or other the premises, or any parcell of them, or of any lands, tenements, or hereditaments belonging, or that did belong to any of them, and all fines, gifts, grants, feoffments, recoveries, and all other assurances thereof made, by the consent or licence (vnder the great Seale of England) of the said late King Henry the eight, or of the King that now is, to any person or persons, bodies politike or corporat, by any Chauntie Priest, Pastur, Warden, Minister, Ruler, Gouernour, or other, hauing any of the said promotions of any of the said Colledges, Chauntries, free Chappels, or other the premises, or of any part of the same, shall stand in their forces, and shall be good and effectuell in the Law for such Estates and interests, giuen or appointed in any of the gifts or conueyances thereof made, according to their purpoits, forme, and matter, and according to the true meaning of the same assurances, and shall be good and auailable, as well against the King his heires and successours, as against the said Chauntie Priests, Wardens, Pasturs, Rulers, Gouernours, and other, hauing any of the said promotions, and their successours, as also against the Founders, Donors, and Patrons of the same, and the Ordinarie of them, and their heires and successours of euerie of them: any Law, Statute, &c. notwithstanding. 1.Ed.6.14.

Assurances made by the king, or by his licence.

29 All Gifts and Graunts heretofore made, to the said King Henry the eight, and to his heires, or to the King that now is, and to his heires, by any Archbishop, Bishop, Deane, Archdeacon, Treasurer, Prebendarie, Pastur, Prior, Gouernour, or other Spirituall person, or by any Patron, Donor, or Founder of any of the said Deaneries, Chauntries, or other of the said Spirituall promotions, of all or any of the Parsonages, Lands, or other Hereditaments or commodities, to any of the said Benefices, Offices, Prebends, or Dignities belonging or annexed, or which any of the said Archbishops, Bishops, Deanes, Archdeacons, Treasurers, Pasturs, Priors, Prebendaries, Rulers, Gouernours, or Ministers, Patrons, Founders, or Donors, had, haue, or ought to haue in their right, or by reason of any of the same Offices and Dignities, shalbe good and effectuell in the Law to all intents: Saving to euerie person &c. (other then the Archbishops, Bishops, Deanes, Archdeacons, Treasurers, Prebendaries, Rulers, Gouernours, Wardens, Priors, and Curers and Grauntors of any of the Premises, and their heires, successours, and Assignes, And other then such Ecclesiasticall persons, bodies politike or corporat, as are, or pretend to be Founders, Donors, Patrons, or Ordinaries of the Premises) all such Rights, Titles, interests, claims, Entries, Kents, Remainders, Reversions, Fees, Offices, Annuities, Profits, Lands, Tenements, and Hereditaments, as any of them haue, or should, or ought to haue had, or in, or to any of the Premises next aboue mentioned, as if this Act

A confirmatio of all graunts made to the k. of spirituall livinges.

Other mens rights saved.

Monasteries, &c.

had not bene made. But this Act shall not extend to make good any Gift, Grant, Sale, or Alienation made by any Parson or Vicar, of their Parsonages, or Vicarages, or of any parcell thereof, or of any thing to any of them belonging. 1. Edw. 6. 14.

I confirmati 30 All Graunts, Licences, Confirmations, and Letters Patents, which
of letters pa- King Henrie the eight, or the King that now is, haue made vnder the great Seale
tents made by of England, to any person or persons, or bodies Politique or Corporat, of any
R. H. 8. and Colledge, Chappell, or Chauntry, now being in Esse, or not, or of any Lands,
R. E. 6. Tenements, and Hereditaments, appertaining to any of them, or of any other
thing expresse, contained, or mentioned in any such Graunt, Licence, Confir-
mation, or Letters Patents, shall bee adiudged good and effectuell in the Law, ac-
cording to the words, sentences, meanings, forme, and effect of the same Grants,
ec. to all intents, as if this Act, and the said Act made 37. H. 8. had neuer bin made.
And this Act, and the said Act made 37. H. 8. or any Article, Sentence, or other
thing therein contained, shall not extend to any Colledges, Chappels, Chauntries,
or other things mentioned in this Act, now being in Esse, or not, or to any Lands,
Tenements, or Hereditaments, appertaining to any of them, or to any other
thing expresse in this Act, which any person, bodie Politique or Corporat, haue
obtained, by the assent, licence, confirmation, graunt, or Letters Patents, of the
said late king, or of the king that now is: so that shall extend to any lands, tenements,
Hereditaments, or other things contained in any such letters patents, ec. but eu-
erie such person ec. shall haue and enioy the same Colledges, ec. lands, ec. and euerie
other thing whatsoever, so by them obtained, according to the words and intent
of the same licences, confirmations, graunts, and letters patents: This Act, or the
said Act made 37. H. 8. or any clause or thing contained in any of the same Acts ec.
notwithstanding. 1. Ed. 6. 14.

The lands of 31 Anno 31. H. 8. 24. It was enacted, That the Corporation of the Religion
of St. Johns of Jerusalem in England and Ireland, should bee utterly dissolved,
and void to all intents. And that the King should haue and enioy all Hospitals,
and Hospitall Churches, Castles, Honors, Manors, Lands, Tenements, Rents,
Reuerfions, Services, Woods, Meadowes, Pastures, Parks, Warrens, Liber-
ties, Franchises, Priviledges, Parsonages, Tithes, Pensions, Portions, Knights
fairs, Adoufions, Commaundries, Receptories, Contributions, Responfions,
Titles, Entries, Conditions, Covenants, and all other possessions and Heredita-
ments, lying within England, Ireland, or other the kings Dominions, which ap-
pertaine to the said Religion, or to the Priors, Pastors, Gouernors, Knights, or
other Ministers professed, of, or in the same, by the pre. etence, or in the right of the
said Religion: And all and singular goods, cattels, debts, arreages of rents and
farmes, and all other things reall and personall, whatsoever they be, whereof or
whereunto the said Priors, Brethren, or Confraters, or persons professed in the said
Religion, can haue, or claime any particular propertie to their owne proper vse, by
the Rules and Statutes of the said Religion: To haue and to hold to the said king
his heirs and successors for ever, to vse & employ by his discretion at his owne plea-
sure. And that the said King should be deemed in the actual and reall possession of
the premises. Saving to all persons and bodies politique, their heirs and succes-
sors (other then the said Priors, and the Brethren and Confraters of euerie of them,
and the successors of euery of them, and all and euery other person or persons of the
said Religion, and their successors) all such Right, Titles, Interest, possession, Leas-
es, Graunts, Annuities, Fees, Offices, Corpories, Reuerfions, Rents, and Ser-
uices, Rent charges, Commons, Rights, Tithes, Actions, Pensions, Portions,
and all other Hereditaments, which they should or ought to haue had, if
this Act had neuer bin made.

Other mens
right saved.

[32 As well the Dućnes Paieſtie, her Heires and Succelloꝝ, as alſo all and euerie other perſon and perſons, bodie Politique and Coꝝpoꝛat, their heires, ſucceſſoꝝ, and aſſignes, now hauing, oꝛ that hereafter ſhall haue any of the Scites of the late Monasteries, oꝛ other Religious oꝛ Eccleſiaſticall Houſes, oꝛ Places, and the Manors, Graunges, Peſſuages, Lands, Tenements, Liſhes, &c. and other Poſſeſſions and Hereditaments of the ſaid late Monasteries, Abbeyes, Priories, Pinneries, Commanderies, Deanries, Colledges, Prebends, Hoſpitals, Houſes of Friers, Rectories, Vicarages, Chauntries, Churches, Chappels, Archbiſhoprickes, Biſhoprickes, and other Religious and Eccleſiaſticall Houſes, oꝛ late belonging oꝛ appointed, to, and foꝛ the finding of Priests, Vicars, Lights, oꝛ other like purpoſe, oꝛ any of them, which came to the hands of the late King H. 8. by Diſſolution, Gift, Graunt, Surrender, Attainder, oꝛ other wiſe, oꝛ to the hands of K. Ed. 6. by vertue of the ſoꝛelaid Act made 1. Ed. 6. oꝛ otherwiſe, oꝛ to the hands and poſſeſſions of other perſons &c. by ſundrie means and aſſurances, ſhall haue, keep, and enioy all and euerie the ſaid Scites, Lands, Tenements, and other Hereditaments, according to ſuch Eſtates, as euerie of them now haue, oꝛ hereafter ſhall haue in the ſame by the due courſe of the Lawes and Statutes of this Realme, now in foꝛce. And euerie Article, Claufe, Sentence, and Prouiſo, contained in any Act oꝛ Acts of Parliament, concerning the aſſurance of the ſaid Monasteries, Priories, Colledges, Chauntries, &c. and other Religious and Eccleſiaſticall Houſes and Places, oꝛ in any wiſe concerning any Manors, Lands, &c. oꝛ other things befoꝛe ſpecified to the ſaid King H. 8. oꝛ King Ed. 6. oꝛ any other perſon oꝛ perſons, oꝛ bodie Politique oꝛ Coꝝpoꝛat, and euery writing, Deed, and Inſtrument, concerning the aſſurance of any of the ſame, ſhall remaine in foꝛce, and be pleaded and taken aduantage of, to all intents, as the ſame might oꝛ could haue bene by the Lawes and Statutes of this Realme. And all Feoffments, fines, Surrenders, Foꝛfeitures, Conueyances, and Interests in any wiſe conueyed oꝛ made to K. H. 8. oꝛ to K. Ed. 6. oꝛ either of them, oꝛ to any other perſon, bodie Politique oꝛ Coꝝpoꝛat, by Deed, oꝛ Act of Parliament, oꝛ otherwiſe, of any the Scites, Manors, Lands, &c. oꝛ hereditaments of any of the ſaid Archbiſhops, Biſhops, Monasteries, Priories, &c. oꝛ of any Manors, Lands, &c. oꝛ any other hereditaments, of, by, oꝛ from any Eccleſiaſticall perſon oꝛ perſons, oꝛ by, oꝛ from any Spiritual oꝛ Eccleſiaſticall coꝝpoꝛation, oꝛ bodie politique, ſhall be good and available in the Law to all intents, and ſhalbe pleaded and taken aduantage of. And euerie claufe and article of Sauing, contained in euerie of the ſaid Statutes, ſhall remaine in ſuch foꝛce and effect, as they were befoꝛe the firſt day of the Parliament holden 1. & 2. P. & M. any thing contained in the Act then made (repealing all Statutes, Articles, and Prouiſoes made againſt the Scite of Rome, ſince the xx. yere of K. H. 8.) in any wiſe notwithstanding. And whoſoeuer ſhall by proceſſe obtained out of any Eccleſiaſticall Court within this Realme oꝛ without, oꝛ by pretence of any Spirituall Iuriſdiction, oꝛ otherwiſe, contrarie to the lawes of this Realme, moleſt any perſon, oꝛ bodie politique, foꝛ any of the lands, tenements, hereditaments, oꝛ other things aboue ſpecified, contrarie to the wordes, ſentence, and meaning of this Act, ſhal incurre the danger of the Act of Praemunire, made 16. R. 2. and ſhall ſuffer and incurre the foꝛfeitures and paines contained in the ſame. 1. & 2. P. & M. 8. 1. El. 1.

Confirmation of all Abbies, Chauntries, & lands to the Quene and other perſons

[33 If any perſon oꝛ perſons being Farmer oꝛ Occupier of any Manors, Lands, Tenements, Parſonages, Benefices, oꝛ other Hereditaments, of any of the late Monasteries oꝛ Eccleſiaſticall houſes oꝛ places belonging to them, oꝛ any of them, by the Kings gift, graunt, ſale, exchange, oꝛ otherwiſe, out of which preemiſſes any portions, pensions, coꝝrobieſ, indemnities, ſinobals, oꝛ pꝛories, oꝛ any other profits haue ben heretofoꝛe lawfully going out, answered, oꝛ paid, to any of the Archbiſhops, Biſhops, Archdeacons, oꝛ other Eccleſiaſticall perſons of the Pꝛouinces of

Mentions due out of Abbey lands.

Monasteries, &c.

of Canterburie or Yorke, do at any time wilfully deny the payment thereof, at the daies of paymēt heretofore accustomed of any of the said pentions, portions, cozro- dies, indemnities, sinodals, priories, or any other profits, whereof the said Archbishops, Bishops, Archdeacons, or other Ecclesiasticall persons were in possession, at or within x. yerres next befoze the dissolution of any such Monasteries, or other ecclesiasticall houses or places: When it shalbe lawfull for the same Archbishops, Bishops, Archdeacons, or other Ecclesiasticall persons, being so denied to be satisfied and paid thereof, and hauing right to the same thing in demand, to make such pro- cesse as well against euery such person and persons, as shall denie payment of the same pentions, portions, &c. or any other profits, which of right ought to be paid, as aforesaid, as against the Church or Churches, charged with the same, as hereto- fore they haue lawfully done, and as, by, and according to the Lawes and Sta- tutes of this Realme, they may now lawfully do for the true payment and recou- rie thereof. And if the partie defendant, be lawfully conuict in any such suit, cause, or matter, according to the Ecclesiasticall Lawes: then the plaintife shall recouer against the defendant the thing in demand, and the value thereof in damages, with his costs for his suit. 34. H. 8. 19.

**Suit at the
Common Law**

34 If it fortune the cause or matter of variance betwene any of the sayd par- ties, be determinable at the Common Law, then the partie grieved to sue for his recouerie & remedie therein at the Common Law: And if the defendant shall be by the course of the Common Law, lawfully condemned to the partie plaintife, then the said plaintife shall likewise haue and recouer against the partie defendant the thing in demand, and the value thereof in damages, with his costs for his suit. 34. H. 8. 19.

**The R. gran-
ting to dis-
charge the
partie.**

35 All and singular such of the said Archbishops, Bishops, Archdeacons, and other Ecclesiasticall persons, which haue right or title to claime, demanda, or en- ioy any of the said Pentions, Portions, Cozrobie, Indemnities, Sinodals, or Priories, against any person or persons, to whom the King hath made, or hereafter shall make in writing vnder Seale, any Sale, Gift, Graunt, or Lease, for terme of life, or lines, or yeares, of any of the said Manors, Lands, Tenements, Parsona- ges, Benefices, or Hereditaments, charged, or chargeable to or with any of the said Pentions, Portions, or &c. and also hath couenanted, graunted, promised, or agreed, or hereafter shall couenant, graunt, promise, or agree, by the said writing, to acquite, discharge, or saue harmelesse the same person or persons, of all pentions, portions, cozrobie, indemnities, sinodals, and priories going out of the premises or any parcell thereof, as be or shalbe mentioned in the same writings, or any of them, shall sue for their remedie and recouerie thereof in the Court of Augmenta- tions, and not elsewhere: And the partie defendant hauing any such discharge, be- ing conuicted, called, or sued in any other Court, or place, or befoze any other Judge, for any the causes abovesaid, shall be discharged and dismissed out of the same Court, or place, without any thing paying for the same, by the onely shewing forth of the said writings sealed vnder any of the Kings seales, prouing or declar- ing the King to haue couenanted, promised, or agreed to acquite, discharge, or saue harmelesse the said partie defendant thereof, as is aforesaid. Any thing in this Act contained notwithstanding. 34. H. 8. 19.

1 Religious persons professed, inabled to inherite, purchase, sue, and to be sued. S. Abilitie 3.

2 Those Abbey lands, which were discharged of Tythes, shall so remaine. S. Tythes 40.

3 All Religious houses shall be within the visitation of the Ordinarie, within whose Dioces they are sitwat. S. Ordinarie 3.

4 For the Tenches reserved vpon Abbey lands, and the remedie for recouerie of

them. S. Tenches.

5. For Tenures reserved vpon Abbey lands. S. Tenures 4. 5.

Money.

If any person or persons exchange any coyned Gold, coyned Silver, or Money; Selling or receiving for money more than it is current. giving, paying, or receiving any more in value, benefit, or advantage for it, then the same is or shall be declared by the Kings proclamation to be current for, within this Realme, or other his Graces dominions: Then the same coyned gold, silver, and money shall be forfeit to the R. and J. that will seize or sue for the same, to be recovered by A. B. D. J. &c. wherein no W. C. D. &c. and the partie so offending, shall suffer imprisonment by the space of a yeare, and also make fine at the R. pleasure. 25. E. 3. 12. 5. E. 6. 19.

2 If any person inhabiting within this Realme, doth pay, or wittingly deliver by way of exchange, or otherwise, to any merchant or other person borne out of the Kings obedience, for any merchandise, wares, or in any otherwise, any pieces of gold coyned in this Realme, or any other Realme, or any plate, vessels, masse, bullion, or Bull of gold, wrought or unwrought, he shall forfeit the double summe or value of all such money, gold, plate, &c. to the R. and J. that will seize or sue for the same, by A. B. &c. after the custome of the Citie, Port, or Towne, where it shall happen any forfeiture to fall, or by information in the Exchequer, wherein no W. C. &c. 4. H. 7. 23. Selling of gold to a merchant Alien.

3 Whosoever doth send or carie out of the Realme of England, any gold, or silver in money, bullion, plate, or vessel, without the Kings licence (saving for his reasonable expences 2. H. 4. 5.) shall forfeit the value of the same so caried forth. 9. Edw. 3. 1. 5. R. 2. 2. except ransomes for fines of English prisoners taken beyond the sea, and the money that Souldiers shall carie with them for their reasonable costs, and money for horses, oren, herpe, and other things bought in Scotland, to be brought and caried to the parts adjoining: So that the money to be sent for the fines of the said prisoners, or to be caried by the Souldiers, be not done without the Kings licence. 2. Hen. 6. 6. And he which is upon his passage in any ship or vessel, for to goe out of any Port, Haven, or Cricke, shall immediately confesse and declare, after warning to him given by the Kings Searcher, what gold or silver in coine or masse he hath with him for his expences, or else that money so concealed shall be also forfeit to the King. 2. Hen. 4. 5. See Customes 11. Merchants 9. Transporting of gold or silver.

4 No person shall carie nor convey, nor cause to be caried out of this Realme, any bullion, plate, or coine of gold or silver into Ireland, above the summe of vij. s. viij. d. nor convey any such bullion, plate, or coine, into any ship, boat, or other vessels, upon paine of forfeiture of the said bullion, plate, or coine, and of imprisonment, and fine at the kings pleasure. 19. H. 7. 5. Money caried into Ireland.

5 No person shall bring or convey, nor cause to be brought any coine of gold or silver, above the summe of iij. s. iij. d. of the coine of Ireland into this realme, upon paine to forfeit all the said coine above iij. s. iij. d. and to have imprisonment, and make fine at the R. pleasure. And it is lawfull to any of the R. subjects, to seize the Irish money brought into this Realme, and to bring it to the R. Mint, and there he shall have the value of halfe such money delivered to him, to his owne use, by the order of the Mint. 19. H. 7. 5. Irish money brought into England.

6 Whosoever in buying and selling, will presume to refuse a halfe penie, or farthing, being of lawfull mettal, and having the forme and fashion which it ought to have, shall be taken as a contemner of the R. Majestie, shall be thrust in prison, and set vpon the pillorie. 12. H. 3. Refusing small money.

Mortdauncester. Mortmaine.

7 No sterling halfe peny, or farthing, no groat, or halfe groat, shalbe molten by any person to make vessell, or other thing thereof, vpon paine of for. of the money so molten, and imprisonment vntill he hath paid the li . the one halfe of that he hath so molten. 9.E.3.3.17.R.2.1.

8 Plate of gold and siluer shall be receiued into the li . & pint by weight, and so shall the money be returned, and not by number. 25.E.3.20.

1 For the forging, clipping, washing, scaling, or bringing in of any forged money. S. Treason 1.2.3.4.5.6.

Mortdauncester.

If a man do die, and haue diuers heires, whereof one is sonne or daughter, brother or sister, nephew or niece, & the other be further in degree, all the heires shall haue their reueries by writ of Mortdauncester. Gloucest. 6.E.1.6.

1 Where damages shall bee recovered in Mortdauncester. See Damages 12.

2 Mortdauncester for the heire being wrongfully kept or put out of his inheritance by his chiefe Lord. S. Wards 9.

Mortmaine.

Lands purchased in Mortmaine.

If any Religious person, or other person whatsoever, will buy or sell any lands, or tenements, or will receiue the same by colour of any gift or lease, or by reason of any other title whatsoever, or wil by other practise, or deuise, procure the same to himselfe, whereby such lands or tenements may come into Mortmain, he shal for. the same lands. Magna Charta 9.H.3.37.7.E.1. And if any Religious, or other Spirituall person doth take the profit of any lands, tenements, fees, advowsons, or of any manner of possessions, whereof any other is seised by feoffment, or any other way to his vse, to the intent to amoztise the same, he shall for. the same, according to the for. of the foresaid statute. 15.R.2.5.

Assurances of lands to bles in Mortmain

The chiefe lord may enter vpon alienatio in Mortmain

2 It is lawfull for the li . or any other chiefe Lord of the fee immediate, to enter into the land so aliened, within a yere after the alienation, and to hold in fee as his owne inheritance: And if the chiefe Lord be negligent, and will not enter into his fee within the yere, then it is lawfull to the next immediate Lord of the same fee, to enter vpon the same fee within halfe a yere then next following, and to hold it as aforesaid: And so euery chiefe Lord immediate may enter vpon the same, if the next immediate Lord be slacke in so doing. And if all the chiefe Lords of such fees, being of full age, within the foure seas, and out of prison, be negligent or slacke in their entrie, by the space of a yere and a halfe, the li . may take the same lands or tenements into his hands immediately after the yeares end that such purchases, gifts, or appropriations shalbe made, & shall enfeoffe some other therein, by certayne seruices to be done to him for the defence of the Realme: sauing to the chiefe Lords of the fees their wards, escheates, and other seruices, thereunto due and accustomed. 7.E.1.

The li . entry

Lands imployed to a church, pard, or given to a Guild.

3 If any Religious person, Vicar, or other Spirituall person, do enter into any lands or tenements which be adioyning to his Church, and of the same lands, by sufferance and assent of the tenants, doth make a Churchyard and buriall place for his parish, without the licence of the li . and the chiefe Lord of the fee, it is Mortmaine, and he is within the compasse of the foresaid stat. And so is it of all lands, tenements, and other possessions purchased to the vse of any Guilds or fraternities. 15.R.2.

4 If any Spaior, Bailife, and commons of any citie, borough, or towne, which hath

hath a perpetuall Communitie, or other which hath an office perpetuall, doe purchase to them and their Commons, or to them and their office, or if any other doe purchase to their use, and they thereof take the profits, it is Mortmaine, and they are within the danger of the foresaid statute of 7.E.1.15.R.2.5.

Land purchased to the use of a Corporation.

5 If a Religious or Ecclesiastical person doe implead any other, and the partie impleaded maketh default, whereby he ought to lose the land, it shall be inquired by the countrey, whether the demandant had right in the thing he demanded or no: And if it be found that the demandant hath right, judgement shall passe with him, and he shall recover seisin. And if he hath no right, the land shall accrue to the next Lord of the fee, if he demand it within a yeare after the enquest taken. And if he doth not demand it within a yeare, it shall accrue to the next Lord above, if he demand it within a halfe yeare, after the same yeare. And so every Lord after the next Lord immediate, shall have halfe a yeare to demand it successively; untill it come to the King, to whom through the default of other Lords the land shall accrue. And after judgement given, the Land shall remaine in the Kings hand, untill it be designed by the demandant, or some other chiefe Lord. And everie chiefe Lord of the fee shall be admitted to challenge the Jurors of the Enquests, and everie one that will, may challenge them for the King. W.2.13.Edw.1.31.S. Challenge 12:

Mortmain upon recovery by default.

Challenge.

6 All feoffments, fines, recoveries, wills, and other estates and assurances, devised, covenanted, ordained, or in any wise made of trust, of any manors, lands, tenements, or hereditaments, to the use of any parish churches, chappels, churchwardens, guilds, fraternities, or brotherhoods, erected or made of devotion, or by common assent of the people, without any corporation, or to the uses and intents to have obites perpetuall, or a continuall service of a Priest for ever, or for 60. or 80. yeares, found of the profits of the same lands &c. or that the feoffees, conveyers, recoverers, or other persons, or their heires thereof seized shall take, lease, or perceive, or cause or suffer to be taken, leuied, or perceived, the issues & profits thereof, & the same dispose or otherwise imploy, or suffer or cause to be paid, disposed, or imployed to any of the foresaid uses, or to any of the like uses, shall be utterly void. 23.H.8.10.

Assurance of lands to churches, &c.

7 But it is lawfull to every person, being seized of any manors, lands, tenements, or hereditaments, to his owne proper use, or having feoffees, recoverers, or conveyers to his use, to make, ordaine, or devise, or cause to be made, &c. any of the uses, intents, or purposes, above specified, in such manner as they might have done before the making of this Act, so that no such uses, &c. be made or appointed to endure by any craft, wiles, or other meanes; above the terme of xx. yeares, next after the first making and beginning of any such uses &c. 23.H.8.10.

Assurance of lands to Churches, &c. for xx. yeares.

8 If any person or persons in default of this Statute, doth bind or ordaine any of their heires or successors, or any other persons, that they shall suffer such uses, intents, or purposes, to continue contrarie to this Statute, upon paine of losse of any other lands, or of any other thing, or doe devise by any colour, craft, or meanes, any thing to make such uses, declared contrarie to the meaning of this Act, to continue for any longer time than is above limited for the same: Then everie such penaltie, craft, colour, and everie other thing that is made or devised in default of this Act, shall be utterly void: for this Statute shall be interpreted as beneficially as may be, to the destruction & utter avoiding of the uses above remembred, and of all other like (other than such as are before expressed.) 23.H.8.10.

Collateral assurances in defaulting of this Stat.

9 But this Act is not prejudiciall to the custome of any Citie or towne corporation, where, by their aunient customes they have authoritie to devise their Lands &c. within the same cities or townes into Mortmaine. Neither shall it be prejudiciall to the devises made by the executors of the wills of R. Jannis, and J. Werre of the Citie of Norwich, &c. 23.H.10.

Customes in cities to devise into Mortmain

Mortmaine. Mortuaries.

Lands given for the main-
tenance of hou-
ses of correcti-
on, or of poore
peoples stocks.

10 But notwithstanding any of the foresaid Statutes, or any other Statute, law, or custome, it is lawfull for every person which is seized of any manors, lands, tenements, or other hereditaments, in fee simple, in possession, reversion, or remainder, holden in free socage of the Quene, or any other person or bodie politique in his owne right, and to his owne use, for and during the space of twentie yeares (to be accounted from the eight of Feb. Anno Dom. 1575.) to make feoffments, grants, or any other assurances, or by his last will in writing to give and bequeath in fee simple, all or any part of the said lands, tenements, or hereditaments, to any bodie politique or corporate, or their successors, now erected, or hereafter to be erected, or to any other person or persons, and their heires, to and for the provision, sustentation, or maintenance of any of the houses of correction, or abiding houses provided for certaine offenders, or of any stocks or stores for poore people, without any licence of Mortmaine therein to be obtained, or any writ of Ad quod damnum, to be sued out for the same. But the rents and services due to the Quene and other chiefe Lords of the fee, going out of the same lands, shall be to them saved and reserved. 18. El. 3. 35. El. 7. to continue till the end of the next Parliament now next ensuing. And it shall be lawfull for every person, for and during the space of xx. yeeres next ensuing, (viz. from 10. Aprilis, An. Dom. 1593.) to make feoffments, grants, or any other assurances, or by last will in writing, to give and bequeath in fee simple, as well to the use of the poore, as for the provision, sustentation or maintenance of any house of correction, or abiding houses, or of any stocks or stores, all or any part of such his lands, tenements, and hereditaments, and in such manner & forme, as he might have done, to, and for the provision, sustentation, or maintenance of any houses of correction, or abiding houses, or of any stocks or stores, by force of the Statute of 18. El. 13. 35. El. 7. Quere.

S. 18. Ed. 3. pro Clero.

Mortmaine by erecting of Crosses. S. 13. Ed. 1. 33.

Mortuaries.

But one Mortuarie
for any person
and that but
in accustomed
place.

No Mortua-
rie where the
goods be un-
der 2. markes.
The duty for
all Mortua-
ries.

No Mortuarie or Corse present, shall be given or demanded of any person, but onely in such place, where heretofore Mortuaries have bene used to be paid and given: For any person shall pay Mortuaries in more places then one, that is to say, in the place of his most dwelling, and habitation, and there but one Mortuarie. 21. H. 8. 6.

2 No Mortuarie shall be taken or demanded of any person whatsoever he be, which at the time of his death hath in moveable goods, under the value of tenne markes. 21. H. 8. 6.

3 No parson, Vicar, Curat, or other spirituall person, nor any of their Executors, Bailiffs, or Lessees, shall for any person dying or dead, and being at the time of his death of the value in moveable goods of tenne markes or more, above his debts paid, and under the summe of xxx. l. take for a Mortuarie above iiij. shillings foure pence in the whole. And for a person being at the time of his death of the value of xxx. l. above his debt paid in moveable goods, and under the value of xl. l. there shall no more be taken for a Mortuarie then five shillings eight pence in the whole. And for a person having at the time of his death of the value in moveable goods of fiftie pounds or above, to any summe, above his debts paid, there shall no more be taken for a Mortuarie then tenne shillings in the whole. 21. H. 8. 6.

These shall
pay no Mortu-
aries.

4 No parson, Vicar, Curat, or other, shall take, demand, or aske, any Mortuarie or other thing by way of Mortuarie, for any woman being covert baron, nor for any child, or any person not keeping house, nor also for any waystring man,

man, or other that maketh not residence in the place where they shall happen to die. But the Mortuaries of such wayfaring persons shall be answerable (in places where Mortuaries be accustomed to be paid, and in maner, forme, and rate before mentioned, and none otherwise) in the places where such wayfaring persons, at the time of their death, had their most habitation, house, and dwelling place, and no where else. 21. H. 8. 6.

5. No Mortuaries nor Coles presents, nor any summe of money or other thing for them, shall be demanded or had in the parts of Wales, nor in the Marches of the same, nor in the towne of Berwick, nor Marches of the same, but onely in such places where Mortuaries have bene accustomed to be paid: Neither shall any mortuaries nor coles present, nor any thing for them be demanded or had in those places, but onely after the order and maner above specified, and none otherwise, nor of any other person than above is limited: But it is lawfull to the Bishops of Bangor, Landaffe, Saint David, and Saint Asse, and likewise to the Archdeacon of Chester, to take such Mortuaries of the Priests within their dioces and iurisdiccions, as heretofore have bene accustomed. 21. H. 8. 6.

Mortuaries in Wales, Berwick, & the Marches of them.

6. No person shall be compelled in such places (where mortuaries have bene accustomed to be taken, of lesse value than is aforesaid) to pay any other mortuaries, or more for any mortuarie than hath bin accustomed: Nor any mortuarie shall be demanded, taken, or had, in such place, of any person or persons exempt by this act, nor contrarie to this act. 21. H. 8. 6.

Mortuaries of lesse value by custome.

7. If any Parson, Vicar, Curat, or other Spiritual person, or their Farmers, Bailifes, or Lessees, do take, receive, or demand, of any person within this realme, for any person dying within the same, any mortuarie or coles present, or any summe of money, or any other thing for the same, more than is before mentioned, or doe consent, or call any person or persons before any Judge Spiritual, for the recouerie of any such mortuaries or coles presents, or any other thing for the same, more than is before mentioned, he shall forfeit for every time so demanding, receiving, taking, consenting, or calling, &c. so much in value, as he shall take above the summe before limited, and also r.s. to the partie grieved, contrarie to this Act, to be recovered by A. J. &c. wherein no W. &c. C. P. &c. But it is lawfull for any Spiritual person to take any summe of money, or other thing, which by any person dying shall be given or bequeathed to him, or to the high altar of the church. 21. H. 8. 6.

The for. for. demanding more then his due.

A legacie given to a Spiritual person.

1. Where Mortuaries be demanded in a Spiritual Court, the Kings prohibition doth not lie. S. Prohibition 1.

2. Fraudulent deeds to defeat other of their Mortuaries be void. S. Fraudulent &c. 1.

Multiplication.

None from henceforth shall use to multiplie gold or silver, nor use the craft of multiplication, and if any the same doe, he shall incur the paine of felonie in this case. 5. H. 4. 4.

Murder and Manslaughter.

If any person be murdered or slaine in the day, and the murderer escape into the Towneship where the said deed is done shall be amerced for the said escape. 3. H. 7. 1.

Escape of a Murderer.

2. If any man be slaine or murdered, and the slayers, murderers, abettors, maintainers, and comforters of the same be indicted therofore, the same slayers and

Murderers arraigned at the Assizes.

kkk

murderers,

Murder and Manslaughter.

murderers, and also other accessories of the same, shall be arraigned and determined of the same felonie and murder at any time at the R. suit, within the yeare after the same felonie and murder done, and not to tarry the yere and day so; any appeale to be taken for the same felonie or murder. 3. H. 7.

Arraignement of him, which is acquitted at the R. suit.
 3 If any person so named as principall or accessarie, be acquitted of any such murder at the R. suit within the yeare and day, then the Justices before whom he is acquitted, shall not suffer him to goe at large, but either shall remit him againe to prison, or else let him to baile after their discretion, till the yeare and day be passed. And if the same felons, murderers, and accessories, or any of them so arraigned, be acquitted, or the principall of the said felonie, or any of them, be attainted, The wife, or next heire to him so slaine, as case shall require, may take their appeale of the same death and murder, within the yeare and day after the same felonie and murder done, against the said person so arraigned and acquitted, and all other their accessories, or against the accessories of the said principall, or any of them so attainted, or against the said principals so attainted, if they be then living, and the benefit of the Clergie thereof before not had. And the Appellant shall haue such advantages, as if the said acquittall and attainder had not bene, the said acquittall or attainder notwithstanding. 3. H. 7. 1.

Within what time, & before whom, appeal of murder shall be commenced
 4 The wife or heire of the person so slaine or murdered, as case shall require, may commence their appeale in proper person, at any time within the yeare after the felonie done, before the Shireffe & Coroners of the Countie where the said felonie and murder was done, or before the R. in his Bench, or Justices of gaole deliuerie. 3. H. 7. 1.

Poysoning.
 5 All wilfull killing by poysoning of any person, is wilfull murder of malice prepensed, and the offenders, their aidors, abettors, procurors, and counsellors, shall suffer death, and for. as in cases of wilfull murder of malice prepensed. 1. Ed. 6. 12.

Misfortune.
 6 It shall not be adjudged Murder, where an act is done by misfortune: But Murder shall be intended of them which be feloniously slaine. Marlb. 5 2. Hen. tertij 26.

Stabbing to death.
 7 Euery person or persons, which shall stab or thrust any person or persons that hath not then any weapon drawn, or that hath not then first stricken the partie which shall so stabbe, or thrust, so as the same person or persons so stabbed or thrust, shall thereof die within the space of six moneths then next following, although it cannot be proued that the same was done of malice soe thought: yet the partie so offending, and being thereof convicted by verdict of twelve men, confession, or otherwise, according to the lawes of this Realme, shall be excluded from the benefit of his or their Clergie, and suffer death as in case of wilfull Murder. 1. Iac. 8.

Se defendendo. Misfortune.
 8 Provided alwaies, that this Act shall not extend to any person or persons, which shall kill any person or persons, se defendendo, or by misfortune, or in any other maner, than as is aforesaid, nor shall extend to any person or persons, which in keeping and preserving the peace, shall chauce to commit manslaughter, so as the said manslaughter be not committed willingly and of purpose, vnder pretext of colour of keeping the peace: Nor shall extend to any person or persons which in chastening or correcting his child or seruant, shall besides his or their intent or purpose, chauce to commit manslaughter. 1. Iac. 8. To continue untill the end of the first Session of the next Parliament.

Keeping peace. Correcting.

1 Appeale of Murder may be commenced in one Countie, of the death of any person stricken or poysoned in any other Countie. S. T. riall 1.

2 The declaration in appeale of murder, and within what time it shall be sued, S. Appcale 2.

3 Where

- 3 Where murder shall be tried by speciall commission. S. Treason 9.
- 4 The killing of the Chauncelor, Treasurer, or any Iudge &c., sitting in his place, is high Treason. S. Treason 1.
- 5 It is not lawfull to slay any person attainted in Premunire. S. Premunire 6.
- 6 The Appellant in appeale of murder where battaile lieth not, may make an Attorney. S. Attorney 5.
- 7 In what sort Coroners shall inquire of murder, and attach the offenders. S. Coroners 2. 3. 4.
- 8 In what case foresters may slay offenders. S. Forests 4.

News.

Whosoever both contrive, speake, or tell any false or counterfeit newes, whereof discorde, or matter or cause of discorde or slander may arise betwene the King and his Noblemen, or people: Or any false newes, lies, or other such false things of Prelates, Dukes, Earles, Barons, and other Nobles and Peeres of the Realme, or of the Chauncelor, Treasorer, Clerke of the privie seale, Steward of the Kings house, Justices of the one bench or of the other, or of any great Officer of the realme, whereof discorde or slander may arise within the realme, shall be taken and imprisoned, untill he hath brought forth him which did speake the same. And when he is taken and imprisoned, and cannot find him which spake the words, then he shall be punished by the advise of the Councell. West. 1. 3. Ed. 1. 34. 2. R. 2. 5. 12. R. 2. 11. 1. and 1. P. and M. 3.

News is
byard discorde.

News of the
Peeres or
great officers.

1 Whosoever shall by preaching, teaching, writing, or open speech notify, that any eating of fish, or forbearing of flesh, mentioned in the statute for those cases provided, is of any necessitie for the saving of the soule of man, or that it is the service of God, otherwise than as other politique lawes be, shall be punished as spreaders of false newes are, and ought to be. 5. El. 5. 1. Jac. 2. 5. to continue to the end of the first Session of the next Parliament.

News con-
cerning eat-
ing of fish, or
forbearing of
flesh.

Nisi prius.

Two Justices shalbe assigned, before whom, and none other, Assises of Nouel diss. Mortd, & Attaints, shalbe taken: And they shall associat with the two or one of the discretest Knights of the shire into which they shall come, & shall take the foresaid Ass. & Attaints but thrice in the yere at the most, viz. &c. And in euerie shire, at euerie taking of Assises, before their departure, they shall appoint a day of their returne, so that euerie one of the shire may know of their coming. And they shall adiourne the Assises from terme to terme, if the taking of them be deferred at any day by vouching to warrantie, by Essoyne, or by default of Answers. And if they perceiue it convenient for any cause that Ass. of Mortd. being respited by Essoyne, or Voucher, ought to be adiourned into the bench, it shall be lawful for them to doe it: and then they shall send the Recorder with the Original writt before the J. of the Bench. And when the suit is come to the taking of the Assise, the J. of the bench shall remaund the same to the first Just. before whom the Ass. shall be taken. But from henceforth the J. of the Bench in such Assises shall give foure daies at the least in the yere, before the said Just. assigned to spare expence and labour. Inquisitions of trespassse shall be determined before the Just. of both benches, except the trespassse be so hainous, that it shall require great examination. Inquisitions also of other pleas pleaded in either of the benches, shall be determined before them, wherein small examination is required: as when the entrie or seisin of any is denyed, or in case when one article is to be inquired. But Inquisitions of

Justices of
Nisi prius.

Trial of small
causes.

Trial of great
many causes.

Nisi prius.

The forme of
the writ of
Nisi prius.

Darr' present.
Quare impedit.

Clerkes of
Mise.

Nisi prius be-
foze the J. of
the same court

Granting of
Nisi prius in
the Justices
discretion.
Nisi prius in
plea of land.

Nisi prius at
the demāndant
or tenants
request.

The authori-
tie of Just. of
Nisi prius.

Trial of is-
sues ioyned
in the Chaun-
cerie, &c. by
Nisi prius in
Westminster
hall.

many and great articles (the which require great examination) shall be taken be-
foze the Just. of the bench, except that both parties desire that the inquisition may
be taken befoze some of the Associates, when they come into those partes: So that
from henceforth it shall not be done but by two Justices, or one, with some knight
of the shire, upon whom the parties can agree. And such inquisitions shall not be de-
termined befoze any Just. of the bench, vnlesse a day and place certaine be appoin-
ted in the Countie, in the presence of the parties. And the day and place shall be
mentioned in a iudiciall writ, by these words, *Præcipimus tibi quod venire facias*
coram Iusticiarijs nostris apud Westmonast. in Oñab. Sancti Michaelis (nisi talis
& talis, tali die & loco ad partes illas prius venerint) duodecim &c. And when such
Enquests be taken, they shall be returned into the bench, and there shall iudge-
ment be giuen and inrolled. And if any Inquisitions be taken: other wise then af-
ter this forme, they shall be of no effect, Except that assises of Darrein presentment,
and Inquisitions upon a Quare impedit shall be determined in their owne Coun-
tie, befoze one Justice of the bench, and one Knight, at a day and place certaine as-
signed in the bench, whether the defendant consent or not, & there the iudgement
shall be presently giuen. All Justices of the Benches shall haue in their circuits
Clerks, to inroll all pleas pleaded befoze them, like as they haue used in times past.
13. Ed. 1. 30. 12. Ed. 2. 4.

2 Enquests and Recognisances depending befoze the Justices of both the
Benches, shall be taken in the time of vacation by any of the Just. befoze whom the
suit is commenced, being associat to one Knight of the same Countie where such
Enquests shall be taken, vnlesse it be an inquisition that requireth great examina-
tion. And so in taking such enquests, the Justices shall doe as they shall thinke
expedient for the benefit of the Realme. 27. Ed. 1. 4. Enquests and Iuries to be ta-
ken in pleas of land, that requireth not great examination shall be taken in the
Countie befoze a Justice of the peace where the plea is, with a substantiall man
of the Countie, Knight, or other, so that a certaine day be giuen in the bench, and
a certaine day and place in the Countie in the presence of the parties demanding
the same. And also Enquests and Iuries in pleas of land that require great exa-
mination, shall be taken in the Countie (in maner abovesaid) befoze two Just. of
the Bench. 12. Ed. 2. 3. And all such Enquests which are to be taken in plea of land
shall be taken aswell at the request of the tenant as of the demāndant. 2. E. 3. 16.
Nisi prius may be granted as well befoze any Justice of another Court (viz. of the
Kings bench, Common pleas, or chiefe Baron of the Exchequer, being a man of
the law, or the Kings seriant (sworne) as befoze any Just. of the same Court where
the suit dependeth: And they may giue iudgement upon verdicts in Assise of Dar-
presentment, and Quare impedit, and upon nonsuits and defaults. 14. Ed. 3. 16.

3 The Justices of Assise of Nisi prius, shall haue power to recoꝝd ponsuits,
and defaults in the Countrey, at the daies and places assigned, as is abovesaid,
And what they shall do, shall be certified into the bench at a day certaine, there to
be inrolled, and thereupon iudgement shall be giuen. And if it happen, that the Ju-
stice or Justices assigned to take such Enquests in the Countrey, doe not come, or
if they come into the countrey at the day assigned, yet the parties, and persons of
such Enquests, shall keepe their day in the Bench. 12. Ed. 2. 4.

4 The chiefe Justice of England for the time being, upon issues ioyned, or to
be ioyned in the Court called the Kings Bench, or in the Court of Chauncerie,
The chiefe Justice of the common pleas for the time being, upon issues ioyned,
or to be ioyned in the Court of Common pleas, And the chiefe Baron of the Ex-
chequer for the time being, upon issues ioyned, or to be ioyned in the Court of Ex-
chequer, or in the absence or default of any of them, two other Judges or Barons
of the same seuerall Courts where it shall happen either of the same chiefe Justices

ees, or the chiefe Baron, for the time being, to be absent, shall, or may at their discretions, within Westminster Hall in Westminster, or in the place where the court of Exchequer is commonly kept, in the Countie of Middlesex, as Justices of Nisi prius, for the said Countie of Middlesex, within the terme time, or within 4. daies next after the end of every, or any terme, generally trie all manner of issues joyned, or to be joyned in any of the said severall Courts, which by the ordinarie course of the lawes of this Realme, ought to be tried in any of the said Courts, by an Enquest of the said Countie of Middlesex. And Commissions and writs of Nisi prius shalbe alwarded in such cases, and in such forme as they are, or have been used in any other shire of this Realme. 18.El.11.

5 It shall be lawfull for any person or persons, upon reasonable warning given to the adverse partie, to his or their Attorney, as hath bene accustomed in such like cases, to take or sue forth writs and records of Nisi prius, for the triall of the said issues in the said Countie of Middlesex, as they may doe upon any issue joyned, triable in any other Countie, and thereupon take the Jurie in such manner and forme, and with awarding of Tales de circumstantibus, and awarding the nonsuit, as is used for the triall of issues joyned, or nonsuits to be alwarded in the said Countie, or any of them, triable within the citie of London, or within any other countie of this Realme of England. 18.El.11.

*Nisi prius such
seyth.*

6 The Shyrrifes of the said Countie of Middlesex, for the time being, shal make retorne of all writs of Nisi prius, which shall be delivered to them, or to their, or any of their sufficient deputie for the time being, before the said Judges, Baron, or Barons, and every of them, and shal give their attendance upon the said Justices, Baron, and Barons, as well for the returning of such Tales as shall be prayed de circumstantibus, for the trying of the said issues, as for the doing and executing of all other thing and things to the office of the Shyrrife in such case belonging, or appertaining. 18.El.11.

*Shyrrifes at
attendance.*

7 And all persons to be impanelled in such Juries, and the parties to the same issues and suits, and the witnesses for the same, shalbe charged and bound, in such and the like sort, upon the like paines and penalties, for their not appearance and attendance, or for their or any of their misdoemeanor or default, before the said Justices of Nisi prius, as they should have bin, if the same Issue had bin tried in the Court from whence the Nisi prius thereof was alwarded: All which severall trials so to be had, before the said severall Justices, Baron or Barons, shall stand and be as good and availeable in law, as if the same had bin tried in the terme time at the barre, in the Court where such issue was joyned or triable: any law to the contrary standing. 18.El.11.

*Jurors,
Parties,
witnesses.*

1 That Nisi prius shalbe graunted in Attaint, S. Attaint 12.S.7.R.2.

Nonsuit.

If in Aste of Nouel dis. Morldauncell. or any other action, the verdict passe against the plaintife, he shall not be nonsuit. 2.H.4.7.

1 The penaltie if in certaine cases the plaintife be nonsuit. S.Dammages 1.6.

Nontenure.

By exception of Nontenure of parcell, no writ shall be abated but for the quantity of Nontenure which is alleaged. 25.Ed.3.16.

1 Exception to a fine that the parties to the same had nothing in the land. See Fines 8.

Nusance. Office, Inquisition.

Nusance.

All writs of Nusance called Writountels shall be made at the election of the plaintife, in the nature of old times used, or else in the nature of Assises determinable before the R. Just. of the one bench or the other, or before Just. of Assise in the Countie &c. 6. R. 2. 3. And a writ shall be granted against him which hath leuied a house, wall, or market, And if the house, wall, or market, be aliened to another, the same writ shall be granted. Westm. 2. 13. Ed. 1. 24.

Office, Inquisition.

Other mens
interests sa-
ued though
they be not
found by of-
fice.

If any Offices or Inquisitions be found before Escheatozs, Commissioners, or others, containing tenure of the R. in Capite, intituling his grace to the Wardship or Custodie of any lands, tenements, or hereditaments, or intituling him to the same, upon attainders of treason, or felonie, or otherwise, wherreas any other person or persons doe hold the same lands, &c. for terme of yeares, or by copie of Court roll, or doe enioy any rent, common, office, fee, or other profit appender, of any estate of free hold, for yeares, or otherwise, out of such lands &c. specified in such offices, though in such offices, such titles, interests, or matters, shall be omitted and not found: Yet euerie lessee, tenant for yeares, or copholder, and euerie such person and persons that haue any interest to any rent, common, or profit appender, for the terme of yeares, life, or otherwise, out of the lands &c. contained in such office or inquisition, where the King shall be intituled to the same, shall haue, enioy, and perceiue all and euerie their leases and interests for terme of yeares, or by copie of Court roll, rents, commons, offices, fees, and profit appender, in such manner and condition, as euerie of them should or might haue done, in case there had bene no such office found, and as such lease, interest by copie of Court roll, common, office, fee, or profit appender had bene found in such office. 2. Ed. 6. 8. See Wards 17.

The counter-
paine of an
office shall re-
main with the
first man of
the Jurie.

2 If a Jurie that shall be swozne before any Escheator or Commissioner, to inquire of lands, &c. doe not receiue the counterpaine of the office or inquisition that by them shall be presented, indented and sealed by the Escheator or Commissioner, and the same deliuer and suffer to rest in the possession of the first person that shall be swozne in the said Jurie, to the intent that the Escheator or Commissioner may not change or imbezil the said office, euerie of the said Jurie shall for. 5. s. 1. H. 8. 8. 3. H. 8. 2.

The fees of
writs or com-
missions.

3 If the lands and tenements whereof any Inquisition is to be had by vertue of any writ or commission, exceed the value of v. l. by the yeare, then such as sue for such writs or commissions, shall pay for the seale and writing thereof such fees as haue bene accustomed. And if the lands and tenements whereof any inquisition and office is to be found by vertue of any writ or commission, exceed not the said yerely value of v. l. Then such as shall sue for such writ or commissions, shall pay for the seale of euerie of them vj. d. and not aboute. 33. H. 8. 22.

Receiuing an
office certified

4 If the officer of a Court of Record, where an inquisition of land not exceeding the yerely value of five pounds, shall be returned, being offered unto him, within one moneth next after the finding thereof, doe not receiue the same, he shall forfeit v. l. to the R. and J. to be recouered by A. J. &c. wherein no W. C. P. &c. 33. H. 8. 22.

An office re-
ceiued within
thre dayes.

5 If the Clerke of the petit bagge of the Chauncerie, or his deputie, or any officer of the Exchequer, hauing authoritie to receiue any offices or inquisitions to whose hands an office or inquisition shall come, which ought to be returned into the Chauncerie or Exchequer, will not receiue the same, and put it on the file to remaine

maine of recoꝝd, within thye daies after it be receiued oꝝ offered to him, he shall foꝛfeit v. l. 1. H. 8. 8. 3. H. 8. 2.

6 The Clerkes of the petit Bagge in the Chauncerie, shall certifie the transcript of all offices found and returned in the Chauncerie, betwene Easter and Michaelmas, into the Exchequer, in the terme of Michaelmas. And the transcript of all offices found and returned into the Chauncerie, betwene Michaelmas & Easter, they shall certifie yerely in the terme of Easter, and otherwise they shall not certifie. And also they shall certifie the transcript of all Offices into the Court of Wards and Liveries, in like maner and forme, as they are bound to doe into the Exchequer. 33. H. 8. 2. 2. Which certificats they shall make in forme aforesaid, vpon paine to foꝛf. foꝛ euery default 100. s. to the R. and I. to be recovered by Action of debt, wherein no W. q. C. p. q. 1. H. 8. 8. 3. H. 8. 2. 33. H. 8. 2. 2.

7 All Inquisitions and Offices found before any Escheator oꝝ Commissioner by vertue of any writs oꝝ commission, oꝝ otherwise, within the Countie Palantines of the Duchy of Lancaster, Chester, and Duresme, oꝝ any of them shalbe returned by the said Escheators and Commissioners, within one moneth next after the taking thereof, into such places and offices, as heretofore they haue bene accustomed to be returned into, vpon paine to foꝛf. foꝛ euery default v. l. to the R. And the Clerke of the Duchy of Lancaster, the Vicechancelor of Chester, and the Chauncelor of the Countie Palantine of Duresme, oꝝ other Officers within the said Countie Palantines, oꝝ their Deputies, and euery of them, hauing authority to receiue any such Office oꝝ Inquisition, to whose hands the same shall come, shall certifie, oꝝ cause to be certified vnder his oꝝ their hands in parchment, the true transcript of euery such office oꝝ inquisition, taken before any of the said Escheators oꝝ Commissioners vnto the Master of the Court of Wards and Liveries, in such like maner, as is appointed to the Clerkes of the petit Bagge in the Chauncerie to transcript the same, vpon paine to foꝛfeit foꝛ euery such default v. l. to the R. which transcript shall there remaine of recoꝝd, in like maner as the transcripts of other Offices already certified into the same court by the Clerks of the petit bag are vsed. 18. El. 1. 2.

1 Where a Melius inquirendum shal be awarded vpon an office vncertainly found. S. T. enures 4.

2 For the maner of finding of offices, and returning them. See Escheators 2. 4. 7. 9. 10.

3 Where and in what cases, any person may be allowed to trauesse an office. S. Trauerse 1. 2. 3.

4 The lands, goods &c. of any person attainted of Treason, shall be in the K. without office found of the same. S. Treason 14.

Offices and Officers.

The Chancelor of England, Treasorer, Keeper of the priuie Seale, Steward of the Kings house, the Kings Chamberlaine, Master of the Rolles, the Justices of the one Bench, and the other, Barons of the Exchequer, and all other that shall be called to ordaine, name, oꝝ make Justices of Peace, Shirifes, Escheators, Customers, Comptrollers, oꝝ any other Officers oꝝ ministers of the Kings, shall be sworn, that they shall not ordaine, name, oꝝ make, any of the foresaid officers, oꝝ any other officers oꝝ ministers of the Kings foꝛ any gift oꝝ bꝛocage, favour oꝝ affection: soꝝ that any which laboureth by himselfe oꝝ by other priuily oꝝ openly, to be in any office, shalbe put in the same office oꝝ in any other. But they shall make all such officers and ministers of the best and most lawfull and sufficient men to their estimation and knowledge. 12. R. 1. 2.

None shall obtain offices by suit oꝝ reward.

Offices and Officers.

Officers of
the K. courts.

2 All Officers made by the Kings letters patents, within his Courts, which haue authoritie by vertue of their offices of old time accustomed, to make or appoint Clerkes and ministers within the same Courts, shall be charged and swozne to appoint and make such clerkes and ministers, for whom they will answer at their perill, which be sufficient, faithfull, and ready to attend to that which pertaineth to their charge, as well touching the K. service, as the businesse of all the common people. 2.H.6.10.

Officers re-
mouable

3 No Customer, Comptroller, Searcher, Weigher, Finder, Aulneger, Can-
ger, Collector of Customs or Subsidies, shall haue any estate in his Office, for
terme of life, or yeres, but the said Offices shall remaine in the Kings hands, un-
der the gouernance and direction of the Treasorer of England (with the assent of
the Councell if need be.) And no letters patents shall be made of any of the said of-
fices, but by warrant and bill assigned by the Treasorer, sent into the Chancerie.
And if any letters patents shall be made by any other warrant or bill, they shalbe
void. 14.R.2.10. 17.R.2.5. 1.H.4.13. 31.H.6.5.

Buying and
selling of
offices.

4 If any person or persons doe bargain or sell any office or offices, or Depu-
tation of any office or offices, or any part of any of them, or receiue, haue, or take,
any money, fee, reward, or any other profit directly or indirectly, to take any pro-
mise, covenant, bond, agreement, or any assurance to receiue or haue any money
for reward, or other profit, directly or indirectly, for any office or offices, or for the
deputation of any office or offices, or any part of any of them, or to the intent that
any person should haue, exercise, or enjoy any office or offices, or the deputation of
any office, or any part of any of them, which office or offices, or any part of them,
shall in any wise touch or concerne the administration or execution of Justice, or
the receit, controlment, or payment of any of the Kings treasure, money, rent,
reuenue, account, ailnage, auditship, or surveying of any of the Kings lands,
woods, or hereditaments, or any of the Kings customs, or any administration or
necessarie attendance to be done in any of the Kings custome houses, or the keeping
of any of the Kings Townes, Castles, or Fortresses, being used or appointed for
a place of strength and defence, or which shall concerne or touch any Clerkship to
be occupied in any Court of Record, wherein Justice is to be ministred: Then all
and euerie such person and persons, that shall so bargain or sell any of the said of-
fice or offices, or deputation or deputations, or that shall take any money, fee, reward,
or profit for any of the said office or offices, deputation or deputations, or any part
of any of them, or that shall take any promise, covenant, bond, or assurance, for any
money, reward, or profit, to be giuen for any of the said office or offices, or shall lose all
his right, interest, and estate, which he shall then haue, of, in, or to any of the said
offices or deputations, or any part of any of them, or of, in, or to the gift or nomi-
nation of any of the said offices or deputations, for which offices or deputations,
or any part of any of them, any such persons shall make any bargain or sale, or
take any money, fee, reward, or profit, or any promise, covenant, or assurance, to
haue or receiue any fee, reward, money, or profit. And also euerie such person that
shall give or paie any money, fee, or reward, or shall make any promise, agreement,
bond, or assurance, for any of the said offices or deputations, or any part of any of
them, shall immediately, by and vpon the same fee, money, or reward, giuen, or paid,
or vpon any such promise, covenant, bond, or agreement, had or made, for any fee,
summe of money, or reward, to be paid, as is aforesaid, be adiudged a disabled per-
son in the law to all intents, to haue, occupie, or enjoy, the said offices or deputati-
ons, or any part of any of them, for the which such person shall so giue or pay, or
make any covenant, bond, or promise, &c. to pay any summe of money, fee, or re-
ward. And all and euerie such bargaines, sales, promises, bonds, agreements, co-
uenants, and assurances as be before specified, shalbe void, to and against him and
them

them by whom they shalbe had or made. 5.E.6.16.

5 But this statute extendeth not to any office or offices, wherof any person or persons is or shalbe seised of any estate of inheritance, nor to any office of parishship or of the keeping of any house, manor, garden, park, chase or forest: neither doth it extend, or is prejudiciall to any of the chiefe Justices of the K. Bench, or common pleas, or to any of the Justices of Assise, But everie of the said Justices may doe in every behalfe touching any Office or Offices to be given or granted by them, or any of them, as they or any of them might have done before: 5.E.6.16.

Offices wherunto the statute extendeth not.

6 If any person or persons doe offend in any thing, contrarie to the tenor and effect of this Act, yet that notwithstanding, all judgements given, and all other Act or Acts, executed or done, by any such person or persons so offending, by authority, or colour of the Office or Deputation, which ought to be sold, or not occupied, or not enjoyed by the person so offending, as is aforesaid, after the said offence so by such person committed, or done, and before such person so offending, for the same offence be removed from the exercise, administration, and occupation of the said office or Deputation, shall be and remaine good and sufficient in law, to all intents and purposes; in such like manner and forme, as the same should and ought to have remained and bene, if this act had never bene had or made. 5.Edw.6.16.

Is done by an officer removable.

7 If any of the Officers appointed for the Court of Wardes and Liveries, doe conceale or withhold any rents, casualties, or other profits, coming to the King by the minority of any of his Wards, or by reason of any thing appointed to be within the order of the Court of Wardes and Liveries: then they so offending, shall lose to the King the double value of the thing concealed, or withheld. 32.H.8.46. And if the Surveyor or Clerke of the Liveries, doe willingly withhold or conceale any record or profit that should grow to the King &c. by reason of the same, then he shall lose to the King &c. the double value of the thing so concealed or withheld, to be levied and recovered against the offender, upon an information made by the partie grieved, and the same duly proved in the court of Wardes and Liveries. 33.H.8.22.

Officers withholding the K. rents.

1 Where Officers by reason of their Offices may exhibit Informations. S. Actions popular 12.

2 How Officers of the King, shalbe punished, which by colour of their Offices do disseise any man. S. Assise 4.

3 The for. of Officers of the Kings Bench, or Common Place, for false entries in certaine cases. S. Apparence 1.

4 Where Commissions shall be awarded to inquire of concealment of officers accountable in the Exchequer. S. Account to the K. 53.

5 The kings officers shal not be unlawfully retained with any other, nor suffer any of his tenants to be retained. S. Liveries 7.

Oyle.

The Mayor of London, with the Alder and Wardens of the Mysterie of Tallow Chaundlers of the same Citie, have authoritie to search all manner of Oyles brought into the said Citie to be sold, in whose hands soever they shalbe found, as often as the case shall require: And they shall oversee that the same oyles put to sale, be not mixed or altered from their right kinds, but that they be good and lawfull, as they ought to be. And it is lawfull for the said Mayor, with the said Alder and wardens, to damne, avoid, and utterly to call away all such Oyles as they find defective, or falsely, or deceivably mixed and altered from their right kinds, without

Searching of oyle in London.

Oyle. Ordinarie.

without let of any person. And also they may commit such person as shall be found defective, by using such deceit or craft, to ward, and punish them by their discretions, according to the Lawes and Customes within the Citie or Libertie of London, used and made for other misdoers. 3. H. 8. 14.

**Searching of
oyle out of
London.**

2 The Mayor in euery Citie, Borough, and Towne where a Mayor is, or the Governours or Rulers of euery other Citie, Borough, &c. for the time being, haue within their Iurisdiction, Libertie, and Franchise, like authoritie to make and do like search, order, direction, correction, punishment, and execution for the same, of, for, and vpon all Oyles, being defective, or deceiueably, or falsly mixed and altered, by any person within their Liberties and Franchises, in maner and forme before rehearsed, and as the Mayors, Masters, and Wardens of the citie of London haue or may in London &c. 3. H. 8. 14.

Ordinarie.

**Ordinarie
charged as
executors.**

If by the death of any dying intestate, which is bound to some other for Debt, the goods come to the Ordinaries hands to be disposed, The Ordinarie is bound to answer as farre forth as the goods of the dead will extend, in such sort as executors should haue bene bound, if the partie had made a will. Westm. 2. 13. Edw. 1. 19.

**Ordinarie
indicted of
extortion.**

2 No Ordinarie, or any Minister of his shall be indicted of Extortion or Oppression generally, but it must be declared and put in certaine in the indictment, in what thing, of what, and in what maner the said Ordinarie or other Ministers haue done extortion and oppression, or otherwise the said Ordinarie &c. shall not be impeached by the Kings Iustices, for the said Indictment. 25. Edw. 3. 9. Stat. pro Clero.

**Religious
houses within
the visitatio of
the Ordinarie**

3 Anno 31. Henr. 8. 13. it was enacted, That such of the late Monasteries, Abbathies, Priories, Punntries, Colledges, Hospitals, Houses of Friers, and other Religious and Ecclesiasticall houses and places, and all Churches and Chapels to any of them belonging, which before the dissolution, suppression, or coming vnto King Henry the eight, were exempted from the visitation, and all other iurisdiction of the Ordinarie, within whose Dioces they were situate, should be within the Iurisdiction and visitation of the Ordinaries, within whose Diocesse they or any of them be situate, or of such persons as by the said R. H. 8. should be appointed, any Exemption, Libertie, or Iurisdiction notwithstanding. Anno 31. H. 8. 13.

1 The Ordinaries authoritie & dutie, when any question for tythes shall come in debate before him. S. Tythes 20. 21. 31.

2 The Ordinarie may suspend him which chideth in a church or churchyard. S. Fighting 2.

3 The Ordinaries authoritie in punishing the incontinencie of Ecclesiasticall persons. S. Incontinencie 1.

4 Where the Ordinarie must giue the Patron notice of deprivation fixe monethes before Lapse. S. Ecclesiasticall &c. 5.

5 The Ordinarie may visit Hospitals within his Diocesse. S. Hospitals 7.

6 For the Ordinaries dutie in prouing of Testaments, & granting administration. S. Probate &c.

7 The Ordinarie for a benefice fallen to him by Lapse, may counterplead the Kingstitle. S. Lapse 2.

8 For the Ordinaries allowance of a Scholmaster. S. Recusants 2.

Oatmeale.

If any person will take upon him to sell oatmeale, which is impaired by any craft or trade, first he shall be grievously punished, and being the second time convicted, he shall lose all his Oatmeale, the third time shall be abridged to the Pillory, and the fourth time he shall forfeit the towne. 5. 1. Ed. 1.

Selling of corrupt Oatmeale.

Painter.

From and after the 29. day of September, which shall be in the years of our Lord God 1606. next coming after the end of this Session of Parliament, no manner of person or persons, being, or pretending to be a Plasterer, or hereafter to become, or be a Plasterer, shall use, exercise, or set by the Art, Myserie, or Annual occupation of a Painter, commonly called a Painter Stainer, or any part thereof, in the City of London, or the Liberties, or Suburbs of the same: And shall within the places aforesaid, make any manner of worke or workes, or lay any manner of colour or colours, painting or paintings whatsoever, in the said Art or Myserie of Painters Stainers aforesaid, at any time heretofore occupied or used, unless he or they be or shall be the Servant or Servants, Apprentice or Apprentices of a Painter otherwise called a Painter Stainer, or have served, or shall serve as an Apprentice or as Apprentices, by the space of seven years at the least to a Painter, or otherwise called a Painter Stainer: upon paine, that euery such person or persons as shall hereafter doe or offend contrarie to the true intent of this act, shall forfeit for euery time that he shall so offend five pounds: The one moiety to the King, his heires and successors, and the other moiety to him or them that will sue for the same in any of the Kings Courts of Record, by A. of debt, B. P. or T. where in no C. P. or W. shall be allowed for the defendant: Any Law, Custome, &c. notwithstanding. 1. Jac. 10.

No plasterer shall be a painter in London

2. Provided nevertheless, that it shall and may be lawful to and for any of the companie of Plasterers, or their servants, or apprentices, to lay and use whitening, blacking, red lead, red okar, yellow okar, and russet mingled with size only, and not with oyle, This Act &c. notwithstanding. 1. Jac. 10.

What colours Plasterers may use.

3. No Painter, or Painters Servant, or Apprentice, shall haue or take above xviij. s. by the day, for laying of any flat Colour whatsoever, mingled or mixed with Oyle or Size, upon any Timber, Stone, Iron, or Lead. Anno Primo Jac. 20.

Pardon.

No Charter of Pardon of any Felonie, Robberie, or Homicide, shall be granted to any person, but where the King may doe it, saving his othe taken at his coronation (viz. where a man killeth another in his owne defence, or by misfortune. 6. E. 1. 9. & 2. E. 3. 2.) And if any Charter be otherwise granted, it shall be void. 4. E. 3. 13. 10. Ed. 3. 2. 14. Ed. 3. 15.

Of what offences pardon may be granted

2. In euery Charter of Pardon of Felonie, which shall be granted at any mans suggestion, the suggestion and the name of him that maketh it, shall be comprised in the same Charter. And if afterwarde the suggestion be found untrue, the Charter shall be disallowed and accounted nothing worth. And the Iustices before whom such Charters shall be alledged, shall inquire the same suggestions, and if they find them untrue, they shall disallow the charters, and further proceed as the Law requirerh. Anno 27. E. 3. 2.

The suggestion on copied in the pardon.

3. No Charter of Pardon shall be allowed before any Iustice for Murder, or for the

the

Pardon. Parliament

The offences
specified in the
pardon.

the death of a man slaine by await, assault, or malice prepenſed, Treason, or Rape of a woman, vnleſſe the ſame ſurther, Death, Treason, or Rape, be ſpecified in the ſame Charter: And if a Charter of the death of a man be alleadged before any Juſtices, in which is not ſpecified, that he, of whoſe death any ſuch is arraigned, was murdered or ſlaine by await, assault, or malice prepenſed, the ſame Juſtices ſhall enquire by a good Enqueſt of the Wiſne, where the dead was ſlaine, if he were murdered or ſlaine by await, assault, or malice prepenſed. And if they find that he was murdered or ſlaine by await &c. the Charter ſhall be diſallowed, & ſurther therein ſhalbe done as the law requirerh. 13. R. 2. 1. 16. R. 2. 6.

Pardon of an
Approver.

4 If any man or woman doe deſire, or purſue, or cauſe to be requiſted or purſued, for any Charter of Pardon, for any Felon arraigned of Felonie, ſurther, or Rape, which for ſafegard of his life doth become an Approver, the name of him or her which purſueth ſuch Charter, ſhall be put in the Charter, making mention that the ſame Charter is graunted at his requiſt and inſtance. And if he to whom the Charter is graunted, after his deliuerance becommeth a Felon againe, the ſame perſon which did purſue for his Charter, ſhall forfeit to the King 100. l. &c. 5. H. 4. 2.

He that hath a
pardon ſhall
find ſureties
for his good
behauing.

5 If the King doe graunt to any perſon any Charter of Pardon, for any Homicide, Robberie, or Felonie, then hee to whom the ſame is graunted, ſhall come within three moneths next after the making of the ſame, before the ſchirife and Coroners of the Countie where the Felonie was done, and ſhall find ſix god and ſufficient ſwainpernoys, for whom the ſaid ſchirife and Coroners wil anſwer, that he ſrom henceforth ſhal beare himſelfe well and lawfully. And the mainprifes ſhall be ſealed and returned into the Chancerie within three weekes after the end of the ſaid three moneths. And if he which hath ſuch Charter, will ayd himſelfe thereby, and hath not found ſuch ſwainprifes, or after ſuch ſwainprife found, doth beare him otherwiſe againſt the peace then he ought, his Charter ſhall be accounted void, and of no force. 10. Ed. 3. 3.

1 What things bee requiſite to make Pardons of Vclawrie allowed. S. Exigent 2. 3.

2 None haue authoritie to pardon Felons &c. but the King. S. Prerogative 17.

3 In What ſuit the K. Pardon ſhall be no barre. S. Iuror 8.

4 A Pardon of Alienation muſt be ſued by thoſe to whom lands holden in Capite be deuifed. S. Wils 16.

Parliament.

Each perſon
ſhall vpon
ſummons
come to the
Parliament.

Every perſon of the Realme, which hath Summons to come to the Parliament (which ſhall be holden once euerie yeare, and moze often, if need be. 4. Edw. 3. 13. 36. Edw. 3. 10.) be hee Archbiſhop, Biſhop, Duke, Earle, Baron, Baronet, Knight of the Shire, Citizen of Citie, Burgeſſe of Borough, or other ſingular perſon or communitie, that doth abſent himſelfe, and cometh not at the ſaid Summons (except hee can reaſonable and honeſtly excuſe himſelfe to the King) ſhall be amerced, and otherwiſe puniſhed, according as hath bene deſp. 5. R. 2. 4.

No man ſhall
depart from
the parliament
without licence

2 No Knight, Citizen, Burgeſſe, or Baron, that ſhall be elected to come or be in any Parliament, ſhall depart from the ſame Parliament, nor abſent himſelfe from the ſame, vntill the ſame Parliament be fully finiſhed, ended, or proroegned (except he haue licence of the Speaker and Commons in the ſaid Parliament aſſembled, and the ſame licence be entred of Record in the Booke of the Clerke of the Parliament appointed for the common houſe) vpon paines to loſe all theſe ſummes of

of money which he ought to have had for his wages: And all the Counties, Cities, and Boroughs, whereof any such person shall be elected, and the inhabitants of the same, shall be clearly discharged of the said wages, against the said person and his executors forever. 6.H.8.16.

3 If any Sheriffe of the Realme be negligent in making his returne of Writs of the Parliament, or leave out of the said Returns any Cities, or Boroughs, which be bound, or of old times were wont to come to the Parliament, he shall be punished in such sort, as it hath bin used. 5.R.2.4.Stat.2.

Return of the Writs for the Parliament.

4 At the next Countie holden after the delivrie of the Kings Writ, for the election of the Knights of the Parliament, Proclamation shall be made in the full Countie, of the day and place of the Parliament, and that all they which be there present, as well suitors summoned for the same cause, as other, shall attend to the election of their Knights for the Parliament, and then in the full Countie they shall proceed to the election freely and indifferently (notwithstanding any prayer or commandment to the contrary. 7.H.4.15.) which election shall be made by the Sheriffe in due and convenient time (That is to say, everie Sheriffe in his full Countie shall make the same betwene the houre of eight, and the houre of nine in the forenoon, without collusion.) And the Knights of the Shires within England, shall be chosen by men dwelling and resident within the same Counties, whereof everie one hath free lands or tenements, to the value of xl.s. by the year at the least, above all charges, within the same Countie, where any such person will meddle in the election. And they which shall be chosen, shall be also remaining and dwelling within the same Counties the day of the date of the Writ for summons of the parliament. And they which have the greater number of those which may dispend xl.s. or above (be they absent or present) shall be returned by the Sheriffe of everie Countie, Knights for the Parliament, by Indenture sealed, made betwixt the said Sheriffe, and the said Chusers, and the Indenture shall be filed to the Parliament Writ, which Indenture so sealed and filed, shall be the returne of the same Writ. And in the Writs of the Parliament this clause shall be put, *Electio-nem tuam in Comitatu tuo faciam, distincte & aperte sub sigillo tuo, & sigillis eorum, qui electioni illi interfuerint nos in Cancellar nostro ad diem & locum in breui contenti certificabis indilate.* And everie Sheriffe within the Realme of England, hath authoritie to examine by othe, upon the holy Evangelists, every such Elector, how much he may dispend by yeare (for he that cannot dispend xl.s. by yeare, shall not in any manner be a Chuser of the Knights of the Parliament.) And if any Sheriffe returne Knights for the Parliament, contrary to the Statute, or doth not make his election within the foresaid time, the Justices of Assise in their Sessions have power to inquire thereof, and if by enquest it be found before the same Justices, and the Sheriffe thereof attainted, he shall forfeit to the King one hundred pounds, and also be imprisoned a yeare, without being let to baile or mainprise. And moreover he shall forfeit and pay to everie person chosen Knight for the Shire, and not duly returned 100.l. whereof everie Knight so grieved, shall have his action of debt against the said Sheriffe, his executors, or administrators, to demand and have the said 100.l. with his costs in that case dispended, wherein no W.C. etc. And also the Knights for the Parliament returned in contrary manner, shall lose their wages. 7.H.4.15. 11.H.4.1.1.H.5.1. 8.H.6.7. 10.H.6.2. 23.H.6.15. But the Sheriffes which shall make such elections, shall have their answer, and traaverse to such Enquests, and Offices found before the Justices of Assise. And neither the Sheriffs nor the Knights supposed to be unduly returned, shall incurre any damage to the King, untill they be duly convicted, according to the course of the Law. 6.H.6.4.

The manner of the election of the knights for the Parliament.

The Sheriffs forfeiture.

5 Everie Sheriffe after the delivrie of the Kings Writ for the Parliament,

LII

shall

Parliament.

**Election of
Burgesses.**

shall make and deliver without fraud, a sufficient precept under his Seale to every *Shirow* and *Bailiffe*, or to *Bailiffes* or *Bailiffe*, where no *Shirow* is, of the *Cities* and *Worroughes* within his Countie, reciting the same *Writ*, commaunding them by the same precept (if it be a *Citie*) to chuse by *Citizens* of the same *Citie*, and in the same manner, if it be a *Worrough*, by the *Burgesses* of the same, to come to the *Parliament*. And the same *Shirow*, and *Bailiffe* or *Bailiffes*, &c. shall returne lawfully the *Precept*, to the same *Schirife*, by *Indenture* betwixt the same *Schirife*, and them of the said election, and of the names of the *Citizens* and *Burgesses* by them so chosen, and thereupon everie *Schirife* shall make a good and rightfull returne of everie such *Writ*, and of every returne of the *Shirows*, or *Bailiffes* &c. to him made. And every *Schirife*, at every time that he doth contrarie to this *Statute*, or any other *Statutes*, for the election of *Knights*, *Citizens*, and *Burgesses*, to come to any *Parliament* (made before the 15. day of *Februarie*, Anno Dom. 1444. & 23. H. 6.) shall forfeit to the R. 100. l. and be one yere imprisoned, without baile or mainprise, and moreover shall forfeit and pay to every person chosen *Knight*, *Citizen*, or *Burgesse* in his Countie to come to the *Parliament*, and not duly returned 100. l. whereof everie *Knight*, *Citizen*, or *Burgesse*, so grieved, severally shall have his *Action* of *Debt* against the said *Schirife*, or his *Executors*, or *Administrators*, to demand and have the said 100. l. with his costs in that case expended, wherein no *W. C.* &c. 23. H. 6. 15.

Other Burgesses returned the which be chosen.

6 At everie time that any *Shirow* and *Bailiffes*, or *Bailiffe* or *Bailiffes*, where no *Shirow* is, shall returne other persons then those which be chosen by the *Citizens*, and *Burgesses* of the *Cities* or *Worroughes*, where such elections shall be made, they shall forfeit to the King 10. l. and also they shall forfeit and pay to every person, chosen *Citizen*, or *Burgesse* for the *Parliament*, and not by the said *Shirow*, &c. or *Bailiffes* &c. returned 10. l. whereof everie of the *Citizens* or *Burgesses* so grieved, severally shall have his *Action* of *Debt* against the said *Shirows*, and *Bailiffes*, or *Bailiffe* or *Bailiffes* where no *Shirow* is, against their *Executors*, or *Administrators*, to demand and have 10. l. with his costs in that case expended, wherein no *W. C.* &c. 23. H. 6. 15.

A Knight or Burgesse put out, & another put in his place.

7 If any *Knight*, *Citizen*, or *Burgesse*, returned by the *Schirife* to come to the *Parliament* in forme aforesaid, be after such returne, by any person put out, and another put in his place, such person put in the place of him which is so put out, if he take upon him to be a *Knight*, *Citizen*, or *Burgesse*, at any *Parliament*, shall forfeit to the King one hundred pounds, and also one hundred pounds to the *Knight*, *Citizen*, or *Burgesse* so returned by the *Schirife*, and after wards put out, for the which hundred pounds, the *Knight*, *Citizen*, or *Burgesse* put out, shall have his *Action* of *Debt* against such person put in his place, his *Executors*, or *Administrators*. 23. H. 6. 15.

Within what time the suit shalbe commenced.

8 But the said *Knight*, *Citizen*, or *Burgesse*, put out, and everie other person before named, which shall or may have any *Action* of *Debt* against any *Schirife*, *Shirow*, *Bailiffe*, *Bailiffes*, &c. for to demand 100. l. or 40. l. by force of any *branch* or *clause*, before rehearsed, shall begin his *Action* of *Debt* within thre *moneths* after the same *Parliament* commenced, and proceed in the same suit effectually without fraud. And if he doe not so, any other that will sue, shall have the said *Action* of *Debt*, to have and recover the same summe, with his costs in that behalfe dispended, in manner and forme aforesaid, wherein no *W. C.* &c. 23. H. 6. 15.

Who shalbe Knights for the Parliament.

9 The *Knights* of the *Shires* chosen for the *Parliament*, shall be worthy and notable *Knights* of the same *Shires*, for which they be chosen, or otherwise such notable *Esquires*, *Gentlemen*, bozne of the same *Counties*, as shall be able to be *Knights*. And no man shall be such a *Knight*, which standeth in the degree of a *peo- man*,

man, or under. 23. H. 6. 15. And the Citizens and Burgeses of Cities, and Boroughes, shalbe chosen of men which be Citizens and Burgeses, resident, dwelling, and enfranchised in the same Cities and Boroughes, and none other in any wise. 1. H. 5. 1. 23. H. 6. 15.

Citizens and
Burgesses.

10 The Kings royal assent, by his Letters Patents under his great Seale, and assigned with his hand, and declared and notified in his absence, to the Lords Spirituall and Tempozall, and to the Commons assembled together in the High house, is, and ever was, and shall be of as good strength and force, as though the King person had bin there personally present and had assented openly and publicly to the same. 33. H. 2. 1.

The Kings assent

11 If any Lord, or other Spirituall man, or Tempozall, haue purchased any lands, tenements, or possessions that were wont before the said purchase to be contributory to the expences of the knights coming to the Parliament, the said lands, tenements, and possessions, and the tenants of the same shalbe contributory to the said expences, as the said lands &c. were wont to be, before the time of the same purchase. 12 R. 2. 12.

Lands contributory
to the knights
wages.

12 The Sherife of every Countie for the time being, in the next Countie Court holden in their Counties, after the deliuerance of the Kings writs to them De solatione feodi Militis Parliamenti, shall make open proclamation, that the Coroners, and euery chiefe Constable of Peace of the said Counties, and the Baylives of every Hundred or Wapentake of the same Countie, and all other which will be at the assessing of the wages of the knights of the Shires, shalbe at the next Countie there to be holden, to asseesse the said wages of the said knights. And the Sherife, Undersherife, Coroners, or Bailives, for the time being, shall be there at the same time in their proper person, upon paine of forfeiture to the King of euery of them that maketh default &c. At which time the said Sherife or Undersherife in the presence of them that shall come to the same, and of the suitors of the said Counties then being there in the full Countie, well and duely shall asseesse euery Hundred to that assessable, by it selfe, to pay a certaine summe for wages of the knights of the Shire, so that the whole summe of all the hundreds do not exceed the summe which shalbe due to the said knights, and after that, in the same Countie, shall asseesse euery village within the said Hundreds, which shalbe there assessable, to a certaine summe for the payment of the said wages, so that the whole summe of all the Towns, within any of the said Hundreds, doe not exceed the summe assessed upon the Hundred of which they be. And the said Sherifes, Undersherifes, Baylives, nor no other Officer, for the cause aforesaid, shall leuie more money of any Village, then that whereunto they were assessed. And if any doe, or will asseesse any Hundred or Village, otherwise then is aforesaid, they shall forfeit for euery default to the King xx. l. and to any man that will sue in this case x. l. And the said Sherifes well and duely shall leuie the money so assessed upon the aforesaid Villages, as soone as they well may, after the said assessing, and the same shall deliuer to the said knights, according to the writs thereof, upon the aforesaid paines, &c. and he that will sue in this case shalbe thereunto admitted, and shall haue a Scire facias against him that offendeth against this Statute. And if the defendant duely warned in the same, make default, or else appeare, and be in the same conuict, then the plaintifes shall recouer against them which be so conuict x. l. to their owne use, besides the said xx. l. with their treble damages for the costs of their suits. All such expences of knights shall not be leuied of any other Villages, Seignories, or places, but of such whereof it hath bene leuied before this time. And in euery writ to be made to leuie the wages of the said knights, this act shall bee comprehended in the same. 23. H. 6. 11. S. Iust. of P. 52.

The order of
levying
knights
wages.

13 At euery Parliament shall be chosen a Prelat, two Barons, and two

Bishops

Barons,

Parliament. Partition, Parceners.

**Delays of
iudgement in
other Courts
redressed in
Parliament.**

rons, which shall have Commission from the King, to heare by petition delivered unto them, the complaints of those, that will complaine of delays of iudgements in the Chancerie, Kings Bench, Common Place, and Exchequer, and besore other Iustices assigned to heare and determine: Which delays happen sometime by difficultie, and sometime by diuersitie of opinions of the Iudges, and sometime for other causes. Which Prelat, Cardes, and Barons, shall have power to cause to come besore them, the tenor of the Records and proces of such iudgements so delayed, and to cause the same Iustices to come besore them, to heare their cause and reason of such delays: Which cause and reason so heard, by good advice of themselves, the Chauncelor, Treasorer, Iustices of the one Bench and the other, and other of the Kings Councell (as many, and such as shall seeme convenient) shall proceed to take a good Record, and make a good Iudgement. And according to the same Record so taken, the tenor of the same Record, together with the Iudgement which shall bee accorded, shall bee remanded besore the Iustices besore whom the plea did depend: And they shall giue iudgement according to the same Record. And if difficultie seeme to them to bee so great, that it may not well bee determined without assent of the Parliament: The sayd tenor of tenors shall be brought by the sayd Prelat, Cardes, and Barons, into the next Parliament, And there shall a small accord be made, what Iudgement ought to be given in this case: And according to that accord, commaundement shall be given to the Iudges besore whom the plea did depend, that they shall proceed to iudgement without delay.

14.Ed.3.5.

1 How they shalbe punished which doe assaule any Lord, Knight, or Burgesse of the Parliaments, or any of their seruants. S. Fighting 5.

2 In what sort he shall be used which entreth into the Parliament house, without taking the othe for the assurance of the Kings power ouer all estates. See Crowne 5.

3 For the Knights and Burgeses of Parliament, to be chosen in euerie Shire, Citie and Towne Corporat in Wales, and for their wages. S. Wales 116. 117. 118. 119. 120. 121.

4 There shall be two Knights for the Countie, and two Citizens for the Citie of Chester for euerie Parliament. S. Chester 2.

5 They which come to the Conuocation, shal have such liberties as they which come to the Parliament. S. Conuocation 1.

6 No appeales shalbe sued in the Parliament. S. Appeale 1.

7 None shalbe vexed for free speeches in Parliament. S. 4. H. 8. 8.

8 For the wages of the Knights of the Parliament in the countie of Cambridge, S. 34. H. 8. 24.

9 Places of the Lords in the Parliament. S. 31. H. 8. 10.

10 No imposition or charge shalbe set vpon wools, &c. without assent of Parliament. S. 45. Ed. 3. 5.

Partition, Parceners.

**Partition of
lands holden
in Capite.**

If any inheritance which is holden of the King in Capite, do descend to diuers co-parceners, then all the heires shall do homage to the King, and the inheritance which is holden of the King shalbe so diuided amongst the heires, that euerie of them from thenceforth shall hold her part of the King. *Prærog. Regis.* 17. Ed. 2. 5. And if they be within age, the King shall haue the wardship and marriage of euery one of them, and so shall euery other Lord of whom they hold their lands, *Stat. Hibernie,* Anno 14. H. 3.

1 All Iointenants, and Tenants in common, of any estate or estates of inheritance,

tance, in their owne rights, or in the rights of their wives, of any manors, lands, tenements, or hereditaments within England, Wales, or the Marches of the same, shall and may be compelled to make partition betwene them, of all such manors, lands, tenements, and hereditaments, as they hold as Jointenants, or Tenants in common, by writ De partitione facienda, in like manner as coparceners by the common Lawes have bin, and are compellable to do, and the same writ shall be pursued at the Common Law. 31. H. 8. 1.

Jointenants & tenants in common, may be compelled to make partition.

3 But euery of the said Jointenants, or Tenants in common, and their heires after such partition made, shall and may haue aide of the other, or of their heires, to the intent to deraigne the warrantie payement, and to recover for the rate, as is vsed betwene Parceners after partition by order of the Common Law. 31. Henr. 8. 1.

Aide after partition.

4 All Jointenants, and Tenants in common, and euery of them, which hold ioynly, or in common for some of life, years or yeares, or Jointenants, or tenants in common, where one or some of them haue estate or estates for terme of life, or years, with the other that haue estate or estates of inheritance, or freehold in any manors, lands, tenements, or hereditaments, shall and may be compellable by writ of Partition, to be pursued out of the Chaucerie, upon his or their case, to make seuerance and partition of all such lands, &c. which they hold ioynly or in common, for terme of life or liues, years or yeeres, where one or some of them hold ioynly or in common, for terme of life or yeeres, with other, that haue an estate or estates of inheritance or freehold. 32. H. 8. 32.

Jointenants for life or yeeres.

5 But no such partition to be made by force of this statute shall be preiudiciall to any persons, their heires and successors, other then such which be parties to the said partition, their executors or assignes. 32. H. 8. 32.

Partition preiudiciall to none but parties.

1 How much the vsurpation of a coparcener vpon his coheire, shall preiudice him in his presentation. S. Aduowson 6.

2 In what manner, and betwixt whom partition shalbe made of lands in Gavelkind in Kent. S. Prærog. 16.

Patents.

The day of the deliuerie of euery warrant sent by the King, or his heires, to the Chaunceloz of England, shall be entred of record in the Chauncerie. And the Chaunceloz shall cause Letters Patents to be made vpon the same warrant, bearing date the day of the said deliuerie in the Chauncerie, and not before. And if any Letters Patents be made to the contrarie, they shall be void. 18. H. 6. 1.

Letters Patents shalbeare the date of the deliuerie of the warrant.

2 If any person doe make suit to the King for any lands, Tenements, Offices, or any other things, by his Grace graunted, or to be graunted to any person during his pleasure, the first Patente then being in life, hee shall expresse in the said Bill of Petition or Patent, the tenor of the said former Patent, and that the King hath determined his pleasure against the said first Patente; and if the said second Letters Patents of any of the Premises to any person to be graunted, shall be void. 6. H. 8. 15.

Patents of lands, &c. graunted to other during pleasure.

2 As well all and singular Letters Patents, Indentures, and other writings, sealed under the great Seale of England, or under the Seale of the Duchie of Lancaster, or the seale of the Countie Palatine of Lancaster, and heretofore made or graunted by our Soueraigne Lady Elizabeth. 8. Nouemb. An. 1. of her Maie. for any summes of money, or for any other considerations, As all other Letters patents hereafter to be made, by our said So. Lady, for any summe of money, or other considerations, during such yeeres next ensuing the making of this

Confirmation of the Letters Patents of Elizabeth.

Patents.

At (being 15. die Martij, Añ dñi 1575.) to any bodie Politique or Corporat, or to any other person or persons whatsoever, of any Honours, Castles, Mannors, Lordships, Graunges, Meases, Lands, Tenements, Meadows, Pastures, Rents, Reuerfions, Seruices, Woods, Advowfions, Prominations, Patronages, Annuities, Rights, Interests, Entries, Conditions, Lets, Courts, Liberties, Priviledges, Franchifes, or any other Hereditaments with their appurtenances, or of any part or parcell of them, sealed with or vnder the great Seale of England, or vnder the Seale of the Duchie of Lancaster, or the Seale of the Countie Palatine of Lancaster, of whatsoever kind, nature, or qualitie, they or any of them be, or shall be reputed, knowne, or taken with their appurtenances, or any part or parcell of them, shall be good, perfect, and effectuell in the law, and shall stand, be taken, and adiudged good, perfect, and effectuell in the law against the Quene, her heires and successors, according to the tenor and effect of the said Letter's Patents, the same to be expounded and adiudged most beneficiall to the Patentees & Grantees of the same, and their assignes, according vnto the wordes and purport of every of the said Letters patents, without any confirmation, licence, or tolleracion of the Quene, her heires or successors: Any misnaming, misrecitall, or nonrecitall of any the same Honours, Castles, Mannors, Lands, Tenements, and other the premises, or any parcell thereof: Or any lacke of finding of Offices, or Inquisitions of and in the premises, or any part thereof, whereby the title of the Quene therein ought to haue bene found, before the making of the same Letters Patents, or other writings: Or any misrecitall, or nonrecitall of Leases thereof before made, as well of record, as not of record: Or any lacke of the certaintie, miscasting, raising, or setting forth of the yearely value and rate of the premises, or of the yearely rents reserved, of, and for the premises, or any parcell thereof, mentioned or contained in any of the said Letters Patents, or other writings, or so that the premises be, or any part thereof is valued to a more or lesse value in the said Letters Patents, or writings, then the said Lands, & other the premises then were, or shall be in the yearely value: Or any misnaming of the Townes, Hamlets, Parishes, or Counties, where the same Lands, Tenements, Rents, Hereditaments, and other the premises, and every partell, or any parcell thereof, lien or bene: Or any lacke of the true naming of the Lands, Tenements, or Hereditaments: Or of the natures, kinds, sorts, qualitics, or quantities of the said possessions, or hereditaments, or any parcell thereof: Or any lacke of the true naming of the Corporation: Or any lacke of the Attournement, Liuerie, or Seisin: Or of any misnaming of any the late Tenants or Farmors of the same Honours, Mannors, Lands, Tenements, and Hereditaments, or any part thereof, so sold, graunted, or giuen, notwithstanding. 18. Eliz. 2.

The answer
for the Que-
ens of lands
granted by the
Q. Patent.

4. All and singular such Patentees, Grantees, and Donors, and euerie of them, which at any time heretofore sithence the said 18. day of November, in the first yere of the Q. raigne, haue obtained of our Soueraigne Ladie the Quene, or at any time after the Session of Parliament ended (15. Mart. Añ dñi 1575.) during the space of seuen yeares, shall obtaine of her Maiestie by way of exchange, or for any summe of money, or other considerations, any Letter's patents, of any Mannors, Lands, Tenements, or Hereditaments, which at the date and making of the said Letters Patents, were or shall be at the time of making such Letters Patents, of better and more yearely value to the Quene, and so answered in yearely rent and ferme, then was, is, or shall be contained and specified in any such Letters Patents, or in the particulars or rats thereof, made: or to be made by any Auditor, Surueior, and other Officer: Then euerie such Patentee, grantee, or Donor, their heires, executors, or assignes, and euerie of them, within one yere next after Office, or other due Payole, Dyet, and Decree thereof to be made within tenne yeares

yeares next after 15. Martij, Anno Domini 1575. in the Exchequer, shall pay unto the Quene, her heires and successors, for the same overplus of the same lands, &c. so sold, given, granted, or exchanged, after the rate of threescore yeares purchase, and according to such yearely value and rate, as the same Lands, Tenements, and other Hereditaments were, and answered at the time of the making of any such Letters Patents so made, or to be made in manner and forme aforesaid: Any thing contained in any such Letters Patents &c. notwithstanding.

It payes purchase.

19.Eliz.2.

5 But this Act shall not extend to confirme or make good any Lease or Leases, made or to be made by the Quene, for terme of life, lines, or for yeares, whereupon the old and accustomed rents, or more, lie not, or hereafter shall not be reserved, and yearely payable during the terme of everie such Lease: For this Act shall extend to revive or make good any Letters Patents, made of any Office or Offices to any Comptroller, Customier, Aulneger, Searcher: For to any Letters Patents, of the grant of any other Office or Offices, heretofore made by the Quene, which now be, or at any time heretofore have bene determined, or made void by Judgement, by authoritie of Parliament, or by decree: For to any Patents to be made to any person for terme of yeares, or during the minority of any heire, of any manors, lands, or tenements, whereof any traverse shall be tendered within thre monethes after any Office found and certified unto any the Courts of Record: For to make good any Letters Patents, made by our said Soueraigne Ladie of any Office, to be of any other effect then the same Letters Patents were or should have bene before the making of this Act: Neither shall it extend to any Letters patents, which at any time heretofore sithence the beginning of the Quenes raigne hath bene, or hereafter shall be made by the Quene to any person of any manors, lands, tenements, rents, reversions, services, or other hereditaments, by force of any information, suit, or suggestion, made, or to be made to her Highnesse, that the same lands, &c. so contained in any such letters Patents were concealed lands: But the same Letters Patents, and everie of them, shall remaine and be in the same force and effect, as they were before the making of this act

Patents of Grants whereunto this Statute extendeth not.

Patents of lands to heretofore a traverse is tendered.

Patents of Offices.

Patents of concealed land.

18.Eliz.2.

6 Saving to all other persons, and bodies politique and corporat, their heires and successors, and everie of them, all such right, title, interest, possession, estate, leases, rents, services, commons, and all other profits and commodities whatsoever, as they or any of them should or might have had before the Letters Patents there of made, if this Act had never bene made.

Other mens rights saved.

7 All Feoffements, Fines, Surrenders, Assurances, Conveyances, and Estates, had or made, to or for our Soueraigne Lady Quene Elizabeth, sithence 18. Nouemb. Anno 1. of her raigne, or to be made at any time during seven yeares (next after the end of this parliament, being 15. die Mart. An dni 1575.) by any person or persons, bodie politique or corporat, of any castles, manors, lands, tenements, rents, and other hereditaments, for any debt, summe of money, or other consideration whatsoever, shalbe good and available in the Law, to all intents, according to the true meaning of the same: Saving to all and everie person and persons, and their heires, bodies politique and corporat, and their successors, (other then such person and persons, their heires, and wives, being parties or parties to such Conveyances &c. bodies politique and corporat, and their successors, &c. of whom the Quene hath obtained or purchased, or shall obtaine or purchase during the said seven yeares, any lands, &c. by exchange, gift, bargain, or otherwise) all such right, title, interest, use, possessions, rents, reversions, remainders, offices, fees, commons, profits, and commodities whatsoever, which they or any of them, have, might, or ought to have had, or, in, or to the premises, or any part thereof,

It confirmeth on of all assurances made to the Qu.

Other mens rights saved.

Patents.

thereof, in as ample manner, to all intents, as if this Act had neuer bene made.
18. Eliz. 2.

**I confirmati-
on of all assu-
rances made
to M. Eliz.**

8 All Feoffements, Fines, surrenders, assurances, conueiances, and estates, in any wise conueied, had, or made, to, or for your Highnesse, by or from any person or persons, bodies politique or corporat, sithence 8. Februar. An. 25. Eli. of any Honors, Tittles, Manors, Lands, Tenements, Rents, Reuerfions, Seruices, and other Hereditaments, for any debt, summe or summes of money, or other considerations whatsoever (other then conueyances or estates heretofore had or made, by any Ecclesiastical person or persons, or bodies politique or corporat, not hauing power or abilitie by the Lawes and Statutes of this Realme, to make the same) shalbe good and available in the law, to all intents, according to the true meaning and purport of the same: Hauing to all and euerie person and persons, and to their heires, bodies politique and corporat, and to their successors, and euerie of them (other then such person or persons, and their heires, and wiues, being parties or priuies to such conueyances or assurances, and euerie of them, bodies politique or corporat, and their successors, and euerie of them, of, or from whom the Duene hath had, obtained, or purchased, any manors, messuages, lands, tenements, rents, reuerfions, seruices, or hereditaments, by exchange, gift, bargain, fine, feoffement, recoverie, deed inrolled, or other wise) all such right, title, interest, vse, possession, rents, reuerfions, remainders, offices, fees, commons, profits, and commodities whatsoever, which they or any of them haue, might, or ought to haue had, of, in, or to the Premises, or any part thereof, in as large and ample maner, to all intents, as if this Act had neuer bene had, ne made: This present Act &c. notwithstanding.
43. Eliz. 1.

**I confirmati-
on of the Du.
grants made
to others.**

9 As well all and singular Letters patents, Indentures, and other writings sealed vnder the great Seale of England, or vnder the Seale of the Duchie of Lancaster, or the Seale of the Countie Palantine of Lancaster, heretofore made and graunted by your Highnesse, for any summes of money, or for and vpon any other considerations, sithence the said 8. Februarij Anno 25. Reg. Elizab. as all other Letters patents hereafter to be made by your Highnesse for any summe or summes of money or other considerations before the last day of this present Session of Parliament: And moreover, all other Letters Patents, within the space of one yeare then next ensuing, to be made by force of, or according to the purport or true meaning of the Commission vnder the great Seale of England, now in being, for sale of your Highnesse lands, to any bodie Politique or Corporat, or to any other person or persons whatsoever, of any Honors, Tittles, Manors, Lordships, Graunges, Meases, Lands, Tenements, Pedoules, Pastures, Rents, Reuerfions, Seruices, Woods, Adoufions, Prominations, Patronages, Annuities, Rights, Interests, Entries, Conditions, Lets, Courts, Liberties, Priuiledges, Franchises, or of any other Hereditaments with their appurtenances, or of any part or parcell of them, sealed with, or vnder the great Seale of England, or vnder the Seale of the Duchie or Lancaster, or the Seale of the Countie Palantine of Lancaster, of whatsoever kind, nature, or qualitie they or any of them be, or shall be reputed, knowne, or taken, with their appurtenances, or any part or parcell of them, shalbe good, perfect, and effectuell in the law, and shall stand, be taken, reputed, deemed, and aduodged good, perfect, sure, available, and effectuell in the Law, against your Highnesse, your heires and successors, according to the tenor and effect of the said Letters Patents, Indentures, or other writings, the same to be expounded, construed, deemed, and aduodged most beneficiall for the Patenters and Graunters of the same, and their heires, assignes, executors, and administrators, according vnto the words and purport of euery the said Letters Patents, Indentures, or other writings, without any confirmations, licence, or tolleracion of your Highnesse,

Highnesse, your heires or successours, Any misnaming, misrecitall, or nonrecitall of any the same Honors, Castles, Mannors, Lands, Tenements, and other the Premises, or of any parcell thereof: Or any lack of finding of Offices or Inquisitions, of and in the Premises, or any part thereof, whereby the title of your Highnesse therein out to haue bene found before the making of the same Letters Patents, Indentures, or other writings: Or any misrecitall, or nonrecitall of Leases thereof made, as well of Record, as not of Record: Or any misrecitall, nonrecitall, or not true mentioning in any such Letters Patents, Graunts, or writings of your Maiesties owne estate or estates, either of freehold, or inheritance, of, or in the premises, or any part thereof, whereunto your Maiestie hath bene since the beginning of your Maiey, or hereafter shall bee intituled by any Attainder, Escheat, Conueyance, or assurance whatsoever, and in which Letters patents, Graunts, or writings, no Estate tale formerly made, or supposed to bee made, haue bene or shall bee recited, and the Reuerſion or Remainder thereupon expectant in the same Letters Patents, Graunts, or writings graunted or mentioned to bee graunted: Or any lack of the certaintie, miscasting, rating, or setting forth of the yearely value and rate of the Premises, or any parcell thereof mentioned or contained in any of the said Letters Patents, or other writings: Or so that the Premises be, or any part thereof is valued at a more or lesse value in the said Letters Patents, or writings, then the said Mannors, Lands, Tenements, and other the Premises, then were or shall be in yearely value: Or any misnaming, or not true naming of the Townes, Hamlets, Parishes, or Counties where the same Honors, Mannors, Lands, Tenements, Reuerſions, Hereditaments, and other the Premises, and euery parcell thereof, or any parcell thereof, lie, or bene: Or any lacke of the true naming of the Lands, Tenements, or Hereditaments, or of the natures, kinds, sorts, qualitie or qualities, of the said possessions, or hereditaments, or any parcell thereof: Or any lacke of the true naming of the Corporation: Or any lacke of Attournement, Livery, or Seisin: Or of any misnaming of any the late Tenants or Farmers of the same Honors, Mannors, Lands, Tenements, and Hereditaments or any part thereof, so sold, granted, or giuen: Or of any misnaming of such person or persons, bodies Politique or Corporat, as at any time before the making of such Letters Patents were, or shall bee owners of the Premises, or any part thereof, to the contrarie notwithstanding.

43. Eliz. 1.

10 But this Act shall not extend to make any Letters Patents of any office or offices to be of any other effect, force, or strength, then the same Letters Patents were, or should haue bene before the making of this Act. Provided also that all and singular such Patentes, Graunties, and Donies, and euery of them, which at any time heretofore since the said 8. day of Februarie, haue obtained and gotten of your Highnesse, or at any time hereafter before the last day of this Session of Parliament, or within the space of one yeare then next ensuing shall obtaine and get of your Highnesse by way of exchange, or so any summe or summes of money, or other considerations, any Letters patents of any manors, lands, tenements, or hereditaments whatsoever, which at the date of the said Letters patents were or shall be of better and more yearely value to your Highnesse, and so answered in yearely rent and farme, then was, is, or shall be contained, mentioned, and specified in any such Letters Patents, or in the particulars and rates thereof, made, or to be made by any Auditor or Auditors, Surueior or Surueiours, or other Officer, That then euery such Patente, Graunter, or Doner, their heires, executors, or assigns, and euery of them, within one yeare next after office, or other due p^{er}formance, or der, and decay thereof made and had, or to be made or had within the space and terme of tenne yerres, next after the end of this present Session of parliament in the Court of Exchequer,

Patentes of
Offices.

Recompence
for overplus.

Patents.

17 yeares
purchase.

Grants
whereunto
this Statute
doth not ex-
tend.

Patents of
concealed
lands.

Composition
with commis-
sioners.

Patents de-
creed to be
void.

chequer, shall content and pay unto your Highnesse, your heires and successours, for the same ouerplus and moze value of the same manors, lands, tenements, and other hereditaments whatsoever, with their appurtenances so sold, given, graunted, or exchanged, as is aforesaid, after the rate of threescorpe yeres purchase, according to such yearely value and rate as the same manors, lands, tenements, and other hereditaments whatsoever were of, and were answered for, at the time of the making of any such Letters Patents, so made, or to be made in maner and forme aforesaid: Any thing contained in any such Letters patents to the contrarie in any wise notwithstanding. 43. Eliz. 1.

11. Provided also, that this Act, or any Proviso therein contained, shall not in any wise extend to confirme, ratifie, or make good any Lease or Leases made or to be made by your Highnesse for terme of life, liues, or for yeares, whereupon the old and accustomed rents, or moze, or as much in value, or moze proportionably for the lands and tenements so demised, or to be demised, be not, or hereafter shall not be reserved and yearely payable during the time and terme of euerie such Lease: For that this Act shall in any wise extend to reuine, and make good any Letters patents made of any office or offices, to any Comptroller, Customs, Aulneger, Searcher: For to any Letters patents, of the graunt of any other office or offices heretofore granted or made by your Highnesse, which now be, or at any time heretofore haue bene made void, by iudgement, by authoritie of Parliament, or by decree: For to any Patents to be made to any person or persons for terme of yeares, or during the minority of any Heire of any Manors, Lands, or Tenements, whereof any tra-uerse hereafter shall be tendered within thre Moneths after any Office found and certified into any your Highnesse Courts of Record: For to make any Letters patents made by your Highnesse, of any Office or Offices to be of any other force or strength, then the same Letters patents were or should haue bene before the making of this Act. 43. Eliz. 1.

12. Provided also, that this Act shall not extend to any Letters patents, or any gift or graunt therein contained, which at any time heretofore haue bene, or hereafter before the last day of this Session of Parliament shall be made by your Highnesse, to any person or persons, of any manors, lands, tenements, rents, reuerfions, seruices, or other hereditaments, by force of any Information, Suit, or suggestion, made or to be made to your Highnesse, that the same manors, lands, tenements, and other hereditaments so contained in any such Letters patents were concealed lands, or that the same, or the profits thereof, were vniuilly withholden from your Highnesse, but the same Letters patents, and euerie of them shall stand, and be, in the same force, strength, and effect, as they were before the making of this Act: Any thing &c. notwithstanding. 43. Eliz. 1.

13. And yet neuerthelesse, be it declared and enacted by authoritie of this Parliament, that no Letters patents, nor any gift or graunt in them contained, made or to be made, by warrant of your Patentes Commissioners, authorized to make compositions with your Subjects for new Letters Patents, or graunts to be made unto them, are, or ought to be taken, or shall be deemed and taken to be made by force of any Information, Suit, or suggestion, that the manors, lands, tenements, or other hereditaments, contained in the same Letters Patents were concealed lands, but that they and euery of them shall be within the full meaning of this Act, to be forfeited and made good, as other Letters patents, made without any suggestion or information of concealment, or vniuilly withholding bene. 43. Eliz. 1.

14. Provided alwaies, That this Act shall not extend to be taken to make good any Letters patents, Indentures, or other writings, or any graunt in them or any of them contained, which heretofore haue bin adiudged or decreed to be void in any

any of your Ma. Courts of Record at West. or by any Act of Parliament: For to make good any Letters patents, or any Grant in them, or any of them contained, of, or concerning Licences, Powers, or privileges, commonly called Monopolies: For to make good any letters patents, or grants, of, or concerning power, Licence, Libertie, or authoritie given for execution of any penall Statute, or statutes, or for tolleracion or dispensation, of, to, or with any offence prohibited by any penall Statute or statutes: For to make good any Letters patents, to William Kirkham gentleman, or to any other by his procurement, concerning which there hath bin any Act of Parliament made heretofore, or any suit in your Ma. Court of Charchamber, or Chancerie. Saving to all and every other person or persons and bodies politique and Corporat, their heires, and successours, and euerie of them, all such right, title, Interest, possession, estate, leases, rents, seruices, commons, and all other profits and commodities whatsoever, as they or any of them should or might haue had before the Letters Patents thereof made, if this act had neuer bin had ne made: Any thing therein contained to the contrarie notwithstanding. 43. Eliz. 1.

Monopolies.

Patents touching penall Stat. Kirkham.

Saving of the right of others.

15. This act shall not extend to make good any Letters patents, or grant of the premises, or any part thereof, whereof there was or shall be any good and Lawfull estate Tayle heretofore made by your Maestie, or any your progenitors, or hereafter to be made by your Maestie, vntil such estate Tayle be duly recited: Neither this Act shall extend to make good any Letters patents, heretofore made by your Maestie, sithence Anno 25. of your Raigne, to any person or persons, & their heires, for and concerning the manors, graunges, lands, tenements, tithes, and other hereditaments whatsoever, set, lying, & being in the severall parishes of Bakewell and Hartington, in the County of Derby, and in the severall parishes of Rochester, alias Rochester, and Blotter in the Countie of Stafford, mentioned or intended to haue bin conveyed vnto Francis late Earle of Shrewsbury, by H. 8. by his Letters patents, bearing date at Westminster 22. Nouembris, Anno 33. H. 8. But for and concerning all other manors, lands, tenements, and hereditaments, contained in any such Letters patents, made since the first and twentieth yeare of your raigne, the same shall be within the remedies and provisions of this Act, according to the purport and meaning of the same. 43. Eliz. 1.

Patents of lands entailed

Bakewell. Hartington Rochester. Blotter.

16. This Act shall not extend to the ratifying or making good of any lease made by John May, late Bishop of Carlisle deceased to your Maestie, which was not enrolled before the first day of this Session of Parliament. 43. Eliz. 1.

John May.

17. Anno 34. & 35. H. 8. 21. The like statute was made, confirming all letters patents, Indentures, and other writings, made, or granted to any person or persons &c. by the said King, vnder the great Seale of England, the seale of the Duchie of Lancaster, or the seale of the Court of Augmentation, sithence 4. Feb. Ann. 27. H. 8. vntill Maij Anno 35. of his raigne, and to be made 7. yeares after, notwithstanding any misnaming, mispension, misrecital, &c. (vt supra.) And also confirming all exchanges, fines, freelements, recoveries, daves inrolled, &c. made within the foresaid time, by any persons to the said H. of any lands, tenements, or hereditaments, &c. notwithstanding any misrecital, misnaming, nonrecital, or not naming of any of the said lands &c.

A confirmation of the patents of H. 8.

18. All and enerie honours, manors, lands, tenements, and hereditaments, which at any time heretofore were the possessions of any Abbey, Monasterie, Priour, Parsonage, or other Religious or Ecclesiasticall house or houses, and which after 4. Feb. Anno 27. H. 8. came to the hands or possession of the said late H. 8. or which were put in charge, to, or for his Highnesse in his Court of Exchequer, or any other Courts of the said late King concerning his revenues, or by any Auditors, or other officer of the said late King, or which after the said 4. Feb. Anno 27. H. 8.

Abbey lands which come to King H. 8.

H. 8.

Patents.

H. 8. were graunted or conueied, or mentioned to be graunted or conueied, in or by any Letters patents whatsoever made by the said late King H. 8. to any person or persons, body politique or corporat, were or shall be reputed, taken and adiudged to haue bene lawfully and perfectly in the actual and reall possession of the said late King and his heires and successours, at such time as the same did so come to his specialties hands and possession, or were so put in charge, or graunted or conueied by the said late King H. 8. as aforesaid: notwithstanding any defect, want, or insufficiencie, of, or in any surrender, graunt, or conueiance of the same honours, manors, lands, tenements, or hereditaments, or any part thereof, to the said late K. H. 8. or any other matter or cause whatsoever, by which his highnesse was or might haue bin intituled to the same. 35. Eliz. 3.

R. H. 8. Letters patents for the foundation of Deane and Chapter, or Colledge.

19 All and singular Letters patents made by the said King H. 8. at any time after the said 4. Feb. Anno 27. H. 8. for the erection, foundation, incorporation, or indowment of any Deane and Chapter, or Colledge, were or shall be reputed, taken, and adiudged, to haue bin good, perfect, and effectual in the law for all things therein contained, according to the true intent and meaning of the same: any thing, matter, or cause, to the contrarie thereof in any wise notwithstanding. 35. Eliz. 3.

Other mens right saued.

20 Having alwaies vnto all person and persons, bodies politique and corporat, their heires and successours, and euerie of them, (other than the late Abbots, Abbesses, Priors, Prioresses, and other Conseruators of such abbeys, monasteries, priories, nunties, and other Religious and Ecclesiasticall houses, and their successours, and such as pretended to be founders, Patrons, or Donors of the same, or any of them, or of any manors, lands, tenements, or hereditaments, belonging to the same, or to any of them, and their and euerie of their heires and successours) all such right, title, interest, claime, and demand, as they or any of them, or their, or any of their aunccestors, or predecessours, might, or ought to haue had, or, in, to, or out of any such honours, manors, lands, tenements, or hereditaments, before the said 4. Feb. Anno 27. H. 8. or before the making of such letters Patents by the said King H. 8. as if the said letters Patents made by the said King H. 8. and the foresaid Statute made in the said 34. yeare of his raigne, and this present act had neuer bin made: This act or any thing therein contained to the contrarie notwithstanding. 35. Eliz. 3.

Confirmation of the patents of R. E. 6.

21 Anno 1. Ed. 6. 8. the like statute was made, confirming all letters patents, Indentures, or other writings made or graunted, to any person or persons &c. by the said King, vnder any of the foresaid three seales, sithence 28. Ianu. Anno. 1. Ed. 6. and to be made during the said Kings life, notwithstanding any misnaming, misrecitall &c.

Confirmation of the patents of R. H. 8. and R. E. 6.

22 Anno 7. Ed. 6. 3. A statute was made, confirming all Letters patents made by King H. 8. sithence 4. Feb. Anno 27. of his raigne, and by King E. 6. sithence 18. Ian Anno. 1. of his raigne, or to be made during his life, of bargaines and sales, gifts, exchanges, &c. notwithstanding the lacke or losse of the particulars, or the bill assigned of the patents, & notwithstanding the nonage of the said R. Ed. 6. as Duke of Lancaster, or any Act, statute, or lawes, &c. concerning any tenures or reueruations of rents or tenths to the contrarie &c.

Confirmation of the patents of R. H. 8. and R. E. 6. and R. H. 8.

23 Anno 4. & 5. P. & M. 1. A statute was made confirming all letters patents, Indentures, and other writings made by the said King and Quene, or by the said Quene, vnder the great Seale of England, or the seale of the Duchie of Lancaster, sithence 7. Iul. anno 1. M. vntill 8. Mar. Anno Dom. 1557. and to be made by the said King and Quene during seven yeares after the said seventh day of March, notwithstanding any misnaming, misrecitall &c. vt supra, And also confirming all feoffements, fines, surrenders, &c. made within the foresaid time by any person,

person, bodie politique, or corporate, to the said King and Quene, or to the said Quene of any lands, tenements, or hereditaments. S. 1. M. 2. and 1. & 2. Phi. & M. 1.

24 Every person to whom the King shall grant the custodie & Wardship of any of his Barons, shall upon his bill assigned thereof, sue forth his patent within foure moneths next after the assignement of the said bill, or else the same bill, & the effect thereof shall be utterly void. 31. H. 8. 46.

25 And every person to whom the King shall graunt any Luerie to be sued upon his bill assigned thereof, with the R. hand, or with the hands of the officers of his Court of Wards and Liveries, shall sue forth his patent within ix. moneths next after the assignement of the said bill, or else the same bill, and effect thereof shall be utterly void. 33. H. 8. 22.

26 If a patent be made to any person, of Lands seized into the Kings hands upon an Enquest taken before an Escheator, or Commissioner, or any of the same lands letten to farme by any of the Kings officers, untill the same Enquest be returned into the Chaucerie or Exchequer, and that the lands have remained in the Kings hands, untill such Enquest be returned and one moneth after, the patent shall be void, except such as doe find themselves græued by the same Enquests doe come into the Chaucerie within thre moneths after the same office put into the Chaucerie, or Exchequer, and doe offer to traaverse the Enquest, and to take the same lands to farme, shewing good evidence, pꝛouing their Traaverse to be true, to whom the lands shall be let to farme, to hold untill the issue upon the same traaverse be found for the King, or the partie finding sufficient suretie to pursue the said traaverse with effect, and to pay to the King the rent, if by right it be his. And then all other patents made thereof within thre moneths shall be void. 36. Ed. 3. 13. 8. H. 2. 16. 18. H. 6. 6. 1. H. 8. 10.

1 Wherein an assise doth lie against the kings patentee. S. Assise 5.

2 A patent graunted of the office of a Shirife or Vndershirife, in fee, for life, or yerres, shall be void. S. Shirife 4.

3 Knights fees, Aduowsons, and Dowers doe not passe by patent without speciall words. S. Prerogatiue 15.

4 How long a Patent made to an Escheator for that office shall endure. S. Escheator 8.

5 Of what Offices there shall be no estate graunted by patent, but the Officers shall be remouable. S. Officers 3.

6 A patent made to a Victualer to be a Purueyor for the Kings cariage is void. S. Purueyor 12.

7 What things shall be put in every Patent graunted, to make an Alien Denizen. S. Aliens 14.

8 An Exemplification of a Patent shall be of the same force that a patent is. See Exemplification 1.

9 Where a patent may be made void, by being retained, wearing his luerie, or doing seruice to another. S. Luerie 7. 8.

10 Patents or writings of any parcell of the Earldome of March. S. 4. Hen. 7. 14.

Periurie.

Every person and persons which shall unlawfully and corruptly procure any witness or witnesses, by Letters, Rewards, Promises, or by any other sinister and unlawfull labour, or meanes whatsoever, to commit any wilfull and corrupt Periurie in any matter or cause whatsoever, depending in suit and variance, by securing wilfull perjury.

Periurie.

by any writ, action, bill, complaint, or information, in any wise concerning any lands, tenements, or hereditaments, or any goods, cattels, debts, or damages, in any of the Courts of the Chancery, Starre chamber, Whitehall, or in any other of the Quenes Courts of Record, or in any Let, view of Franke pledge, or Layday, Auncient demesne Court, Court Hundred, Court Baron, or in the Court or Courts of the Stannerie in the Counties of Devon, and Cornewall, or shall likewise unlawfully and corruptly procure or suborne any witnesse or witnesse, which shall be swozne to testifie In perpetuam rei memoriam: Then euerie such offendor or offendors, shall for his, hers, or their said offence being thereof lawfully convicted, or attainted, forfeit xl. pounds to the Quene and partie grieved &c. that will sue by A. J. B. &c. wherein no W. &c. C. P. J. &c. And if it happen any such offendor or offendors being so convicted or attainted as aforesaid, not to haue any goods or cattels, lands or tenements, to the value of forty pounds, then euerie such person or persons so convicted or attainted of any of the offences aforesaid, shall suffer imprisonment one halfe yeare without baile or maineprie, and stand vpon the Pillorie one whole houre, in some market towne, where, or next adioyning to the place where the offence was committed, in open market there. And no person or persons being so convicted or attainted &c. shall be from thenceforth receiued as a witnesse to be deposed in any Court of Record, within any of the Quenes dominions of England, Wales, or the Marches of the same, vntill the iudgement giuen against him or them, shall be reuerfed by Attaint, or otherwise. And vpon euerie such reuerfall the parties grieved shall recouer his or their damages against all and euerie such person and persons, as did procure the said iudgement so reuerfed to be first giuen against them, or any of them, by action to be sued vpon his or their case, according to the course of the common law. *f. El. 9. S. Maintenance 4.*

Committing
willsall periurie.

2 If any person or persons, either by the subornation, unlawfull procurement, sinister perswasion, or meanes of any others, or by their owne act, consent, or agreement, shall wilfully and corruptly commit any manner of willsall Periurie by his or their deposition in any of the Courts before mentioned, or being examined Ad perpetuam rei memoriam: then euerie person or persons so offending, and being thereof duely conuict or attainted by the Lawes of this Realme, shall for his or their said offence lose and forfeit xx. l. to the Quene and partie grieved &c. that will sue by A. J. B. &c. wherein no W. &c. C. P. J. &c. and shall haue fire moneths imprisonment, without baile or maineprie, and his othe from thenceforth shall not be receiued in any Court of Record &c. vntill the iudgement giuen against him shall be reuerfed by Attaint, or otherwise. And vpon euerie such reuerfall, the partie grieved shall recouer his damages against all and euerie such person and persons, as did procure the said iudgement so reuerfed, to be giuen against him, by action to be sued vpon his case &c. And if the said offendor haue not any goods or cattels to the value of twentie pounds, then he shall be set on the pillorie in some market place, within the Shire, Citie, or Borough, where the said offence shall be committed, by the Shirefe or his Ministers, if it be without any Citie, or Towne Corporate: And if it be within any Citie or Towne Corporate, then by the head Officer or Officers of the same Citie &c. or by his or their ministers, and there shall haue both his eares nailed, and from thenceforth be discredited and disabled for euer to be swozne in any of the Courts of Record aforesaid, vntill the iudgement shall be reuerfed, and thereupon shall recouer his damages in manner and forme before mentioned. *f. El. 9.*

Periurie committed in any ecclesiasticall Court.

3 But this act doth not extend to any Ecclesiasticall Court within England, Wales, or the Marches of the same, but euerie such Offendor, as shall offend in forme aforesaid, shall and may be punished by such ordinarie lawes, as heretofore hath

hath bene, and yet are used in the said Ecclesiasticall Courts. 5. El. 9.

4 As well the Judge and Judges of every such Court, where any such suite shall be, whereupon any such periurie, shall be committed, as also the Justices of Assise and Oble delivrie in their severall circuits, and the Justices of peace at their quarter Sessions, have power to inquire of, hear, and determine all the offences committed contrary to this Act, by inquisition, presentment, bill, or information. And the Justices of Assise of every circuit within this Realme, and elsewhere within the Dominions, shall in every Countie within their circuits, two times in the year, that is to say, in the time of their sittings make open proclamation of this Statute, or of the effect thereof, to the intent, that no person shall be ignorant of the penalties herein contained. But this Statute doth not restrain the power given by a Statute made Anno 11. H. 7. c. 5. to the Lord Chancellor, and others of the D. Council, to examine and punish riots, routs, barrous periuries, and other offences, (which have been used to hear and determine such matters in the Star Chamber at Westminster) nor to restrain the power of the Lord President and Council in the Marches of Wales, or in the North, nor of any other Judge having absolute power to punish periurie, before the making of this Statute. But they and every of them shall and may proceed in the punishment of all offences, heretofore punishable, in such wise, as they might have done and used to doe before the making of this act, to all purposes, so that they set not upon the offenders lesse punishment than is contained in this Act. 5. El. 9. c. 9. El. 5. 1. Jac. 2. 5. S. Inst. of P. 23.

Periurie punishable in the Star Chamber & other courts.

1 Where, in what cases, and in what manner periurie shall be punished by Attaint. S. Attaint.

Pewter, Brasse, Pewterers.

N^O person or persons using the craft of Pewterers and Brassiers, shall sell or change any Pewter, or Brasse, new, or old, at any place within this realme, but onely in open faires, markets, or in their owne dwelling houses, but if they be desired by the buyers of such wares, upon paine of forfeiture for every such default to the King, and to him that will seize or present the same, or that will sue for the same by A. 3. c. 1. pounds, wherein no W. C. P. ec. 19. H. 7. 6. 4. H. 8. 7. 2. 5. H. 8. 9.

Pewter shall be sold in faires & markets, or in the owners house onely.

2 If any person either worke or cast any pewter vessel or brasse at any place within this realme, except it be as good fine metall, as is the pewter & brasse, cast and wrought after the perfect goodnes of the same within the Citie of London, and by the statutes of the same ought to be, he shall forfeit to the use of the B. & the finder thereof, or of him that will seize or sue for the same by A. 3. ec. all such pewter and brasse so cast, and wrought of worse pewter and brasse ec. But this forfeiture shall not extend to brasse or pewter, being in the possession of any person, other then the workers of the same, or such as have the same to sell, and boring of the Crafts or myserie ec. 19. H. 7. 6. 4. H. 8. 7. 2. 5. H. 8. 9.

Of what goodnesse pewter & brasse vessel ought to be.

3 No person shall make any hollow wares of pewter, viz. Salts, and Pots that are made of pewter, called lay metall, but that it be after the assise of pewter lay metall wrought within London. And the makers of such wares shall marke the same with severall markes of their owne, to the intent that they shall anowe the same wares by them wrought, and all such wares not sufficiently made, and not marked in forme aforesaid, found in the possession of the same maker, or seller, shall be forfeited. And if the same ware be sold, the maker shall forfeit to the use of the King, and of the finder, or searcher, or of him that will seize or sue for the same by A. 3. ec. the value of the same ware so unlawfully wrought and sold. 19. H. 7. 6.

Hollow wares.

Marking of vessel.

Pewter, Brasse, Pewterers.

4.H.8.7.23.H.8.

Occu-
pying
false beames &
weights a-
bout brasse &
pewter.

4. If any person using buying and selling of pewter or brasse, doe occupie any deceivable, untrue, or false beames, or weights of the said wares, hee shall forfeit to the King and the partie that will sue by Act of Parliament. wherein no P. C. etc. And also the partie so offending shall forfeit his beame to him that will seise it. And if the said offendo; be not sufficient to pay his said summe by him so forfeit, then it is lawfull to the Mayor, Bailifes, and other head Officers of such places where any offendo; shall be found, to put him in the stocks, & so to keepe him untill the next market day, next adjoining, and in the market place to put him on the pillorie all the market time. 19.H.7.6.4.H.8.7.

Searchers of
pewter and
brasse.

5. It shall be lawfull for the Mayor and Wardens of the craft of Pewterers within everie Citie and Borough where such Wardens are, and where no such Wardens are, for the head Officers or Governours of the same Citie or Borough, to appoint certaine persons, most expert in knowledge of the same, to make search in the said Cities or Boroughs where they dwell. And the Justices of Peace in everie Shire, at their generall Sessions holden at Michaelmas, shall appoint two persons having experience therein, to make search in the premises, in everie part of that Shire, as well within franchises as without, (saving in Cities and Boroughs, where searchers be appointed by the governours of the same.) And all such unlawfull pewter, or brasse, as the said searchers shall find, shall bee to the use of the King and of the said searchers. And in default of the said Mayor and wardens of the said occupations, not searching in forme aforesaid, & whereby any such unlawfull mettall is cast or made, or unlawfull weight used, it shall be lawfull to any person having sufficient cunning in the said occupations, by oversight of the Mayor, Bailifes, or head Officers in the said Cities, Boroughs, & Townes, to search all the said places, & to put the said authoritie and Act in execution, in forme aforesaid. 19.H.7.6.4.H.8.7.S. Iust of P. 62.

Searchers
of tinne or
pewter vessel

6. If any deceivable workmanship of Tinne or Pewter, be found either in chargers, platters, dishes, saucers, porringers, trenchers, basons, flaggons, bottles, pots, saltcellars, goblets, spoons, cruetts, or candlestickes, or any other such wares of Tinne or Pewter, whatsoever it be, cast or wrought within this realme, or without, and brought to be sold within this Realme, it shall bee lawfull to the Mayor of London, and the Mayor and Wardens of the Craft of Pewterers of the said Citie, and their deputies, to have search of the same within the Citie of London, and the Suburbs of the same. And in all other Cities, Boroughs, and Townes, where any Wardens be or shall be, the Mayor, Bailifes, or head Officers, and Wardens shall have like authoritie, and where no Wardens be, then the head Officers or Governours of the same Cities, Boroughs, and Townes, shall have authoritie to appoint certaine persons, most cunning in knowledge of the same, to make search within the said Cities, Boroughs, and Townes where they dwell. And if any such new wares, wrought of Tinne and Pewter, be found defective, and being in the possession of the seller, then the same person that putteth any such new wares of Pewter to sale, shall forfeit the same wares to the King, and searchers or finders, or to him that will seise or sue for the same by Act of Parliament. wherein no W. C. P. etc. But this act concerning the forfeitures, shall not be prejudiciall to any person having the Graunt of King Hen. 8. or of any of his progenitors, by his letters patents, of such forfeit. But everie of them shall enjoy the same, according to their Graunts and Liberties. 4.H.8.7.23.H.8.9.33.H.8.4.

Wares of tin
made out of
this realme.

7. No person inhabiting within this Realme, shall buy or take by exchange, for other wares, any wares made out of this Realme, of Tinne, or mixt with Tinne, as platters, dishes, saucers, pots, basons, ewers, flaggons, goblets, salts, saltcellars,

sailellers, spones, or any other thing made of Linne, or Pewter, whatsoever it be, upon paine of forfeit (to the vse of the King and the finders thereof) of the same wares, in whose hands soeuer it may be found or taken, and also lawfull money currant in this Realme, to the full value thereof. And it is lawfull to the Masters and Wardens of the Craft of Pewterers within euery Citie, Borough, & towne of this Realme, where such Wardens be, and where no such Wardens be, to the head Officers or Gouernours of the same Citie &c. to appoint diuers persons most expert in knowledge of the same, to make search and seisure of all such wares, as shalbe brought, contrarie to the true intent of this Act, in whoseuer possessions any such shalbe found. 25. H. 8. 9. And if any person doe vnlawfully withstand, disturbance, or let the said Master and Wardens, or their deputies, or any of the head Officers or Gouernours of Cities, townes, or boroughs, wherein no such Masters or Wardens are, in searching and seising such wares as shal be brought into this Realme, contrarie to the forme aforesaid, Then euery such person so offending, shall forfeit for euery time so doing to the vse of the R. and A. v. l. to be recovered by A. &c. wherein no W. C. P. &c. 33. H. 8. 4.

Withstanding
seisure.

8 No stranger borne out of this Realme shall vse the said Craft of Pewterers, nor worke any manner of vessel or other ware aforesaid, to be made of Lin or Pewter, within any place of this Realme, upon paine of forfeit. of x. l. to the vse of the R. and A. to be recovered by A. &c. wherein no W. C. P. &c. And also upon paine of forfeit. of the same pewter or tinne so wrought, in whose hands soeuer it may be found, or taken. 25. H. 8. 9. 33. H. 8. 4.

No stranger
borne shall
work pewter.

9 No persons being borne within this Realme, occupying or exercising y^e said craft of Pewterers, shall resort into any strange regions, or countries, there to teach, or exercise the said craft of Pewterers, upon paine to lose the priuiledge and benefit of an Englishman. 25. H. 8. 9. 33. H. 8. 4.

No pewterers
shall teach or
vse his trade
in a foraine
region.

Phisitions.

King Henrie the eight by his letters patents bearing date at Westminister the xiiij. day of September, in the tenth yere of his Raigne, did erect, constitute, ordaine, and appoint a perpetuall Colledge of graue and learned men, which should openly practise Phisicke, within the Citie and Suburbes of London, and within seven miles euery way round about the same Citie, And did graunt that all men of the same facultie, of, and in the said Citie, should be in deed and name one bodie, and a comminalltie or colledge perpetuall. And that the same Comminaltie or Colledge may yearely for euer chuse and make of their Comminalties some wise man, and expert in science of phisicke, to be president of the said Colledge or comminalltie, to ouersie, correct, and gouerne for the yere, the foresaid Colledge or comminalltie, and all men of the same facultie and their affaires. And that the same President, and colledge, or comminalltie, should haue a perpetuall succession, and a common seale continually to be employed vnto the businesse and vse of the said president and colledge. And that they and their successors for euer shall be, persons able, and of sufficient capacitie to purchase and possesse in fee and perpetuities, any Lands, Tenements, Rents, and other possessions whatsoever. And that they and their Successors might purchase as well within the citie as without, any Lands and Tenements whatsoever, not exceeding the value of xij. l. by the yere, notwithstanding the Statute of Mortmaine. And that they by the names of the President of the Colledge and Comminaltie of the facultie of phisicke in London, may implead and be impleaded before any Iudges, in any Courts or Actions whatsoever. And that the foresaid president, and colledge, and comminalltie, and their Successors may lawfully make honest and lawfull Congregations, Statutes, and

The Phisitions
in London
made a body
corporate.

President of
the Colledge.

A common
seale.

Sue, and be
sued.

¶ in m iij

¶ ordinances,

Physitions.

Ordinances. Ordinances, for the government, oversight, and correction of the said colledge or comminalltie, and of all men practising physicke within the said citie, and seven miles round about, as necessitie requireth, without impediment of the King, his Heires, Successors, or any of his Officers. And that no man in the said citie, or within seven miles compass thereof, shall practise the said facultie, except he be admitted thereunto by the said president and comminalltie, or their successors for the time being, by the letters of the said president and comminalltie, sealed with their seale, upon paine of C.s. for euerie moneeth, that any which is not admitted, shall practise the foresaid facultie, wherof one halfe to be employed to the Kings use, and the other to the use of the president and comminalltie. And that the president and Colledge of the foresaid comminalltie, for the time being, and their successors for euer shall yerely chose foure, which shall haue the Suruey, Search, Correction, and Governance of all the Physitions of the said Citie, vnting the facultie of physicke, within the same Citie, and of other foraine Physitions whatsoeuer, vnting the same Facultie within the same Citie and Suburbes, or within seven miles compass of the same Citie, and the punishment of them for their Offences, in not well executing, doing, and vsing thereof, and also the Suruey and Search of all manner of Medicines, and their receipts to be giuen, employed, and used by the same physitions, or any of them, to any of the Kings liege people, for the curing and healing of their diseases, as often and whensoever it shall be needfull for the profit of the same people, so that the punishment of the same Physitions, vnting the said facultie, so offending in the premises, be executed by Fines, Amerciaments, Imprisonment of their bodies, and by other reasonable and conuenient waies. And that neither the president, nor any of the said Colledge of Physitions, nor their Successors, nor any of them practising Physicke within the foresaid Citie, Suburbes, or elsewhere, shall be summoned, or put in Amisses, Juries, Enquests, Inquisitions, Attaints, and other Recognisances taken or summoned within the said Citie and Suburbes, before the Mayor and Shyrfes, or Coroners of the said Citie, or any Officer or Minister of theirs, though the same Juries, Inquisition, or Recognisances, were summoned vpon Writts of Right. But the said Mayors, Governours, Comminaltie, and their Successors, and euerie of them, practising the said Facultie, shall be for euer discharged against the said King, his Heires, and Successors, and against the Mayor and Shyrfes and the foresaid Citie, for the time being, and all their Officers. In which Letters patents there is a Prouiso, That the said Letters, or any thing therein contained, shall not be preiudiciall to the Citie of London, or the Liberties thereof.

**Foure go-
uerneors.**

**Not summo-
ned in Juries**

**The liberties
in London
samed.**

**The corpora-
tions of Physi-
cians con-
firmed.**

Eight Elects

A President.

2 After by the Statutes made 14.H.8. & 1.M.9. the said Corporation of the said Comminaltie, and Fellowship of the Facultie of Physicke, & euerie grant, article, and other thing contained in the said Letters Patents, be proued, graunted, & confirmed, & cleerely authoyzsed & admitted by the same, godd, lawfull, anauable to the said bodie corporat and their successors for euer, in as large manner as may be taken, thought, and construed by the same.

3 There shall be eight persons of the said Comminaltie, which shall be called Elects, and the same Elects shall yearely chose one of them to be president of the said comminalltie, and as often as any of the rowmes of the said Elects shall be void by death, or otherwise, then the supernuors of the same Elects, within 30. or 40. daies after the death of any of them, shall chose and admit one, or more, as need shall require, of the most cunning and expert men of the said Facultie in London, to supplie the said rowme and number of eight persons, so that he or they that shall be so chosen, be first by the said supernuors straitly examined, after a forme devised by the said Elects, and also by the said supernuors appoyued. Anno 14.

Hen. 8. j.

Hen. 8. 5.

4 Whensoever the president of the said Colledge &c. or such as the said president and Colledge shall yearly authorize to search, examine, and punish all offenders in the said facultie, within the same citie and precinct, shall commit any such offender for his offences or disobedience (contrarie to any Article or Clause contained in the said Grant or Act made 14. H. 8.) to any Ward, Gaole, or prison within the said citie and precinct, (the Tower of London except) When the Warden, Gaoler, or Keeper of the prison shall receive into his prison euerie such person so offending, as shall be committed to him, and there shall safely keepe him at the proper costs of the said person so committed, without baile, or mainprise, vntill such offender or disobedient be discharged of the said imprisonment by the said president, and such persons as by the said colledge shall be authorized, vpon pain that euerie such Warden, Gaoler, &c. doing contrarie, shall forfeit to the vse of the king, and the said president and colledge, the double of such fine and amercciamment, as such offender or disobedient shall be assessed to pay by such as the said president and colledge shall authorize, so that the same fine and amercciamment be not at any time above xx. l. to be recovered by A. J. &c. wherein no W. &c. P. &c. 1. M. 9.

Imprisonment of offenders.

5 The president of the said communitie, and euerie fellow thereof, & their successors shall be discharged to keepe any watch or ward in the citie of London, or suburbs of the same. And they nor any of them shall be chosen Constable, or any other Officer in the said Citie or Suburbs. And if the said president or any of the said Fellowes be appointed or elected to any watch or ward, office of Constable, or other office within the said Citie or Suburbs, the same appointment and election shall be void. 12. H. 8. 40.

Physitions discharged to be Officers in London.

6 No person out of the Citie of London, and Precinct of seven Miles of the same (except he hath bin approued in the same) shall take vpon him to exercise and occupie as a Physition in any Dioces within this Realme, but if he hath bin first examined and approued by the Bishop of the same Dioces, or (he being out of the Dioces) by his Vicar generall, either of them calling to them such expert persons in the said facultie, as to them shall seeme good, and giuing their Letters testimoniall vnder their seale to him that they should so approue, vpon paine of forfeiture, for euerie moneth, that he doth occupie, not examined and approued, v. pounds, to the vse of the R. and J. to be recovered by A. of debt, wherein no W. P. &c. But this act is not preiudicall to either of the Vniuersities of Oxford or Cambridge, or to any priuiledges granted to them. 3. H. 8. 11. And in the same Statute it was further enacted, That no person within London, or seven miles compasse, should occupie as a Physition, except he be first proued, and admitted by the Bishop of London, or the Deane of Pauls, calling to him foure Doctors of Physicke. But S. 1. & 2. Quere.

Every Physition that be allowed by the Bishop of the Dioces.

7 No person shall be suffered to exercise or practise in Physicke through England, vntill he be examined at London by the President of the Colledge of the facultie of Physicke, and three of the Elects, and hath from the said Presidents or Elects letters Testimonials of their approuing & examination, except he be a graduate of Oxford, or Cambridge, which hath accomplished all things for his forme without any grace. 14. H. 8. 5.

Every Physition shall be allowed by the president and three elects.

8 The President for the time being, Commons, and Fellowes of the Fellowship of the facultie of Physicke in London, and their Successors, may yearly elect foure persons of the said Fellowes of the best learned, wisest, and most discreet, and the said foure persons so elected, after a corporall othe to them ministered by the said president or his deputie, haue authoritie as often as they shall thinke conuenient, to enter into the house of all and euerie Apothecary, vntill the mystery of an Apothecarie within the said citie, only to search, view, and see such Apothecaries

Foure Physitions shall search Apothecaries

Phisitions. Piracie.

carie wares, drugges, and stufte, as the said Apothecaries or any of them have in their houses, and all such wares, drugges, and stufte, as the said iij. persons shall then find defecaine, corrupted, and not meet to be ministred in any medicines for the health of mans bodie, the same foure persons calling to them the Wardens of the said myserie of Apothecaries within the said Citie, or one of them, shall cause to be burned, or otherwise destroy the same, as they shall thinke mete. 32. H.8.40. But if the said Warden or Wardens doe refuse, or delay his or their coming thereunto forthwith, when the said President, or iij. of his Colledge elect, doe call vpon him, or them: then the said Phisitions may and shall execute that search and view, and the due punishment of the Apothecaries for any their euill and facultie stufte, without the assistance of any of the said Wardens. 1. M.9. And if any of the said Apothecaries at any time doe obstinately or willingly refuse, or denie the said foure persons to enter into his house, for the causes before rehearsed, then for every time that he doth so offend, hee shall forfeit to the B. and Informer v.l. to be recovered by A. J. &c. wherein no W. &c. C. P. &c. 32. H.8.40. And euerie such person as will resist such search, shall forfeit x.l. to the king and the said President and colledge, to be recovered by A. J. &c. wherein no W. &c. C. &c. 1. M.9.

Elects refusing to be sworn, or to make search.

9. If any of the said 4. persons so elected, doe refuse to be sworn, or after his oath to him ministred, doe obstinately refuse to make the said search once in the yeare, at such time as they shall thinke convenient, hauing no lawfull impediment by sickness or otherwise to the contrarie, then for euerie such obstinat default, euery of them making default, shall forfeit x.s. 32. H.8.40.

Other Assistants shall assist the phisitions.

10. All Iustices, Mayors, Sherrifes, Bailifes, Constables, and other Ministers and Officers within the Citie and Suburbs of London, and 7. miles compass of the said Citie, vpon request to them made, shall aid and assist the president of the said Colledge, and all persons by them from time to time authoris'd, for the due execution of the foresaid Statutes, 14. H.8. & 32. H.8. vpon paine for not giuing of such aid, help, and assistance, to run in contempt of the Qu. & her heires and successors. 1. Ma.9.

1. No Phisitions may practise Surgerie. S. Surgeons 2.

Piracie.

Trial of offences done within the Admirals iurisdiction.

All Treasons, Felonies, Robberies, Murders, and Confederations, committed vpon the Sea, or in any other Haven, Riuer, Creek, or place, where the Admirall hath, or pretendeth to haue iurisdiction, shall be enquired, tried, heard, determined, and iudged in such shires and places in the Realme, as shall be limited in the Kings commission or commissions to be directed for the same, in like forme, as if any such offences had bin committed vpon the land. And such commissions shall be had vnder the great Seale, directed to the Admirall, or his lieutenant, and deputie, & to three or foure such other as shall be appointed by the Lord Chancelor as oft as need shall require, to heare and determine such offences after the common course of the lawes of this land vsed for treasons, felonies, robberies, murders, and confederacies of the same, committed vpon the land within this Realme. 28. H.8. 15. S. Treason 13. That the trial of treason shall be according to the due course of the common law: Et ideo quare.

**The Commissioners au-
thoritie.**

2. Such persons to whom such commissions shall be directed, or foure of them at the least, shall haue power to enquire of such offences, by the othes of twelue good and lawfull inhabitants in the shire limited in their Commission, in such manner, as if such offences had bin committed vpon the land within the same shire: And euerie indictment found, and presented before such Commissioners, of any treasons, felonies, robberies, murders, manslaughter, or such other offences committed

committed vpon the Seas, or vpon any other haven, river, or creeke, shall be good & effectuall in the law. And if any person happen to be indicted for any such offence done vpon the Seas, or in any other place aboue limited, then such order, proces, iudgement, and execution, shall be vsed, and made to and against euerie such person so indicted, as against traitors, felons, and murderers, for treason, felonie, robbery, murder, or other such offences done vpon the land. And the triall of such offence (if it be denied by the offender) shall be had by twelue lawfull men inhabiting in the shire limited within such commission, & no challenge to be had for the hundred. And such as shall be convicted of any such offence by verdict, confession, or proces, by authoritie of any such commission, shall suffer such paines of death, losses of lands, goods, and cattels, as if they had been attainted and convicted of any of the said offences done vpon the land. An. 28.H.8.15.

3 This Act shall not be prejudiciall to any person for taking any victuall, cables, ropes, ankers, or sailes, which he compelled by necessitie, taketh in any ship, which may conveniently spare the same, so the same person pay out of hand for the same victuall, cables &c. money or money worth, to the value of the thing so taken, or doth deliver for the same a sufficient Bill obligatorie to be paid in some following, viz. if the taking of the same things be on this side the Straites of Sparrack, then to be paid within foure moneths, and if it be beyond the said Straites, then to be paid within twelue moneths next ensuing the making of such bills, and that the makers of such bills truly pay the same debt at the day limited within the said bills. 28.H.8.15.

4 Whensoeuer any such Commission for the punishment of any of the offences aforesaid, shall be directed to any place within the iurisdiction of the five ports: When it shall be directed vnto the Lord Warden of the said Ports, or his deputie, and vnto three or foure such other persons, as the Lord Chauncelour shall appoint. And euerie inquisition and triall there, of any of the offences aforesaid, shall be made by the inhabitants in the said five Ports, or the members thereof. 28.H.8.15. S. Admiral 2.

Things taken vpon necessitie.

Commissions directed vnto the 5 ports.

Plague.

The Mayor, Bailifes, head Officers, and Iustices of Peace, of euerie Citie, Borough, Towne corporate, and places priuiledged, where any Mayor and Bailifes, head Officers, or Iustices of peace are, or shall be, or any two of them, shall have authoritie from time to time, to take and asseesse all and euerie inhabitant, and all houses of habitation, lands, tenements, and hereditaments within the said Citie, Borough, Towne corporate, and places priuiledged, or the liberties or precincts thereof, at such reasonable rates and payments, as they shall thinke fit, for the reasonable reliefe of such persons which shall be infected with the plague, or inhabiting in houses and places infected in the same Citie, Boroughs, &c. & from time to time to leuie the same rates of the goods of euerie person refusing or neglecting to pay the said rates, by warrant vnder the hand and Seale of the Mayor and Bailifes, and head Officers aforesaid, or two such Iustices of peace to be directed to any person or persons for the execution thereof. And if the party to whom such warrant is or shall be directed, shall not find any goods to leuie the same, and the party taxed shall refuse to pay the same rate, Then vpon returns thereof, the said Mayor, Bailifes, head Officers, or Iustices of Peace, or any two of them, shall by like warrant vnder their hands and seales cause the same person so taxed, to be arrested, and committed to the Gaole, without baile or mainprise; vntill he shall satisfie the same taxation, and the arrearages thereof. 1.Iac.3.1.

2 As the Inhabitants of any such citie, borough, towne corporate, or place priuiledged

Taking on them for the reliefe of the sick of the plague.

Plague.

The inhabi-
tants unable
to relieve the
infected.

neglected, shall find themselves unable to relieve their said poor infected persons, and others as aforesaid, Then upon certificat thereof by the Mayor, Bailiffe, head Officers, and other the said Justices of peace, or any two of them, to the Justices of peace of the Countie, of, or nere to the said Citie, Borough, Towne corporate, or privileged place so infected, or any two of them to be made, The said Justices of, or nere the said Countie, or any two of them, shall or may take and assesse the inhabitants of the Countie within five miles of the said place infected, at such reasonable weekly taxes and rates, as they shall thinke fit, to be leuied by warrant from the said two Justices of the peace, of, or nere the Countie, by sale of goods, and in default thereof by imprisonment of the bodies of the parties taxed, as aforesaid. 1. Jac. 3. 1.

Infection in
places where
there be no
of peace.

3 If any such Infection shall be in any Borough, Towne corporate, or privileged place, where there are, or shall be no Justices of peace, or in any Village or Hamlet within any Countie, Then it shall and may be lawfull for any two Justices of the said Countie, wherein the said place infected is or shall be, to take and assesse the Inhabitants of the said Countie, within five miles of the said place infected, at such reasonable weekly taxes and rates, as they shall thinke fit for the reasonable reliefe of the said places infected, to be leuied by warrant from the said Justices of peace of the same Countie, by sale of goods, and in default thereof, by imprisonment of the bodies of euery partie so taxed, as aforesaid: The same taxes made by the said Justices of the Countie, for the reliefe of such Cities, Boroughs, Townes corporate, and places privileged, where there are no Justices of peace, to be disposed as they shall thinke fit. And where there are Just. of peace, then in such sort as to the Mayor, Bailiffes, head Officers, and Justices of peace there, or any two of them, shall seeme fit and convenient: All which taxes and rates made within any such Citie, Borough, &c. shall be certified at the next Quarter Sessions to be holden within the same Citie, Borough, &c. And the said taxes and rates made within any part of the said Countie, shall in like sort be certified at the next Quarter Sessions to be holden in and for the said Countie. And if the Justices of peace at such Quarter Sessions, respectively, or the more part of them, shall thinke it fit the said tax or rate should continue, or be enlarged, or extend to any other parts of the Countie, or otherwise determined, then the same to be enlarged, extended, or determined, increased, or taxed and leuied, in manner and forme aforesaid, as to the said Justices at the Quarter Sessions respectively shall be thought fit and convenient. And euery Constable, and other head Officer that shall wilfully make default in leuying such money as they shall be commaunded by the said warrant or warrants, shall forfeit for euery such offence s. s. to be imploied on the charitable uses aforesaid. 1. Jac. 3. 1.

In infected
person com-
manded to
keepe his house
disobeyeth.

4 If any person or persons infected, or being dwelling in any house infected, shall be by the Mayor, Bailiffes, Constable, or other head Officer, of any Citie, Borough, Towne corporate, privileged place, or Market Town, or by any Justice of Peace, Constable, Headborough, or other Officer of the Countie (if any such infection be out of any Citie, Borough, Towne corporate, privileged place, or Market Town) commaunded or appointed as aforesaid, to keepe his or their house, for any thing of further infection, and shall notwithstanding wilfully and contemptuously disobey such direction and appointment, offering and attempting to breake and go abroad, and to resist, or going abroad and resisting such keepers and watchmen, as shall be appointed, as aforesaid, to see them kept in, Then it shall be lawfull for such watchmen, with violence to enforce them to keepe their houses. And if any hurt come by such enforcement to such disobedient persons, Then the said keepers, watchmen, and any other their associates, shall not be impeached therefore. And if any infected person as aforesaid, so commaunded to keepe house shall contrarie to such commaund

commandement wilfully and contemptuously goe abroad, & shall conuerse in company, hauing any infectious soare vpon him vncured, then such person and persons shalbe taken and aduizged a felon, and suffer death as in case of felonie. But if such person shall not haue such soare found about him, then so; his said offence to be punished as a vagabond should o; ought to be by the statute made 39. El. 4. so; the punishment of vagabonds, and further be bound to his o; their good behaviour so; one whole yere. But no attainder of felonie by vertue of this Act shall extend to any attainder o; corruption of blood, o; forfeiture of any goods, chaffels, lands, tenements, o; hereditaments. 1. Jac. 3. 1.

5 It shalbe lawfull so; Just. of P. Shaiors, Bailifes, and other head Officers a; so; said, to appoiat within their severall limits, Searchers, Watchmen, Examiners, Boppers, and buriers so; the persons and places respectively infected as aforesaid, and to minister vnto them othes so; the performance of their offices of Searchers, &c. and giue them other directions, as vnto them so; the present necessitie shall seeme good in their discretions. 1. Jac. 3. 1.

6 So; Shaiors, Bailifes, Head Officers, o; any Iustices of peace shall by force o; pretext of any thing in this Act contained, doe o; execute any thing before mentioned within either the vniuersities of Cambridge o; Oxford, o; within any Cathedral Church, o; the liberties o; precincts thereof, in this Realme of England, o; within the Colledges of Eaton, o; Winchester: But the Vicechancelor o; either of the Vniuersities so; the time being, within either of them respectively, and the Bishop and Deane of euerie such Cathedral Church o; one of them, within such Cathedral Church, and the Drouost o; Warden of either of the said Colledges within the same, shall haue all such authoritie, and shall doe and execute all and euerie such Act and Acts, thing and things, in this Act before mentioned, within their severall Precincts and Iurisdicions abovesaid, as fully to all intents, as any Shaiors, Bailifes, Head Officers, o; Iustices of Peace, within their severall precincts and iurisdicions, may elswhere by force of this Act doe and execute. 1. Jac. 3. 1. To continue no longer then vntill the end of the first Session of the next Parliament.

Attendants appointed vpon the infected

The Vniuersities, Cathedrall Churches, Eaton, Winchester.

Plaies and Games.

N person by himselfe, o; any other shall so; his gaine o; liuing, keepe o; maintaine any common house, alley, o; place of bowling, quoying, cloth, rails, halfe bowles, tennis, dicing, tables, o; carding, o; any other maner of game prohibited by any Statute, o; any vnlawfull new game now inuented o; made, o; any other new vnlawfull game hereafter to be inuented, found o; made, vpon paine to forfeit so; euerie daie keeping o; mainteining, o; suffering any such game to be had, kept, executed, plaid, o; mainteined within any such house, garden, alley, o; other place, contrarie to the forme and effect aforesaid, xl. s. And also euerie person vsing and haunting any of the said houses and places, and there playing, shall so; so; euerie time so doing vs. s. viij. s. 3. H. 8. 9.

Maintenance of houses for vnlawfull games.

Playing any vnlawfull games.

2 If any person sue so; any placard to haue common gaming in his house, contrarie to this Statute, When it shall be contained in the same placard, what game shall be vsed in the same house, and what person shall play thereat. And euerie placard graunted to the contrarie shall be void. And also the partie obtaining any such placard, before he put the same in execution, shall be bound with sufficient sureties with him by Recognisance in the Chauncerie, in a certaine summe to be appointed by the Lord Chauncelor, that he shall not vse the said placard contrarie to the forme thereof. 3. H. 8. 9. But by the Statute made Anno 2. & 3. Phi. & Mar. 9. Euerie licence, placard, o; graunt, before that time made to any person o; persons,

Placards.

Playes and Games.

Licences made void. sons, for the hauing, maintaining, or keeping of bowling allies, dicing houses, or other vnlawfull games prohibited by the Lawes and Statutes of this Realme, were made void.

Persons prohibited to play at vnlawfull games. 3 No Artificer, or Craftsmen of any Handycraft, Husbandman, Apprentice, Labourer, Seruant at Husbandrie, Journeyman, or Seruant of Artificers, Pa- riners, Fishermen, Watermen, or any Seruingman, shal play at the Tables, Tennis, Dice, Cards, Bowles, Closh, Copting, Rogating, or any other vnlaw- full games, out of Christmas, vnder the paine of xx.s. to be forfeited for euerie time, and in Christmas, to play at any of the said games in their Masters houses or in their Masters presence. But it is lawfull to euerie Master, to licence his ser- uants to play at cards, dice, or tables, with their Master, or any other Gentleman repairing to their Master, openly in his house, or in his presence, and it is lawfull for euery such seruant, for euerie time so being licenced as is aforesaid, to play &c. 33.H.8.9.

Bowling. 4 No person shall at any time play at any bowle or bowles, in open places out of his garden, or orchard, vnder the paine for euerie time so offending, to forfeit vs. viij. d. But it is lawfull to euerie Nobleman, and of other, hauing lands, tenements, or other perely profits for terme of life, in his owne right, or in his wines, to the yearely value of 100.l. or above, to command or licence his seruants of his house, for to play within the precinct of his house, garden, or orchard, at cards, dice, tables, bowles, or tennis, as wel amongst themselves, as other repairing to the said house, and they so playing by commandement or licence, shall not incurre any penaltie contained in this act for the same. 33.H.8.9.

Magistrates may repress vnlawfull games. 5 It is lawfull to all and euerie the Iustices of peace in euerie Shire, Paioys, Shires, Bailies, and other head Officers within euerie Citie, Towne, and Bo- rough, from time to time, as well within Liberties as without, as need and cause shall require, to enter and resort into all houses, places, and allies, where vnlawful Games shall be suspected to be holden or vsed, contrarie to this Statute: And as well the keepers of the same, as also the persons there resorting and playing, to ar- rest and imprison, and to keepe in prison, vntill the keepers of the said Plaies and Games, haue found sureties to the Kings vse, to be bound by Recognisance, or o- therwise, no longer to keepe or occupie any such house, play, game, alley, or place. And also the persons there so found, shal in like case be bound by themselves, or else with sureties, by the discretion of the Iustices, Paioys, Shires, &c. no more to play, haunt, or exercise from thenceforth, in, at, or to any of y^e said places or games. And all Iustices of peace, Paioys, and Head Officers, &c. and euerie of them, fin- ding or knowing any person vsing any vnlawfull games, contrarie to this Sta- tute, haue authoritie to commit euerie such offender to ward, there to remaine without baile or mainprise, vntill such time they so offending be bound by Oblig- ation to the Kings vse, in such summe of money, as by the discretion of the said Iustices, Paioys, Waylifes, &c. shall be thought reasonable, that they or any of them shall not from thenceforth vse such vnlawfull games. 33.H.8.9. S.Iust. of peace 64.

Officers shall make search where vnlawfull games be. 6 If the Paioys, Shires, Bailies, Constables, & other head Officers with- in their Cities, Boroughs, and Townes, as well within Franchises as without, do not make due search weekly, or at the furthest once euerie moneth, if the case so require, in all places, where any houses, allies, plaies, or places of vnlawful games shal be suspected to be had and maintained, and do not execute the Stat. in all things according to the purport of the same: When euerie such Paioy, or other head Of- ficer, shal forfeit for euery moneth not making such search, nor executing the same, xl.s. And all Paioys, Bailies, Shires, and other head officers, shall once euerie quar- ter make Proclamation of this Statute in eueries Market holden within their sene- rall

Proclamation of this Statute.

all iurisdiction. And in like sort shall the Iustices of Assise, Gaole deliuey, & peace, in their seuerall circuits and Sessions befoze them holden, to the intent euery person may haue knowledge of the same. 33.H.8.9. S. Corporations 23.

7 Where any forfeiture given by this Act. provided for the maintenance of Artillerie, and debarring of unlawfull games, shalbe found in any Franchise, Let, or Lawday, the Lord of the same shall haue the one moitie thereof, and any of the R. subjects shall haue the other, that will sue for the same in any of the R. Courts. And where such forfeiture shalbe found out of the precinct of any Franchise, frēt, or Lawday, the one moitie thereof shalbe to the R. and the other to any of his subjects that will sue for the same, by A. J. 4c. wherein no W. C. D. 4c. But al informations, actions, suits, &c. that shalbe sued vpon any part of this Act. shalbe commenced within the yeare after the offence committed, or otherwise no aduantage thereof shalbe taken 33.H.8.9. S. Actions popular 17.

Who shall haue the forfeiture.

8 If any person or persons doe, or shall in any Stage-play, Interlude, Shew, May-game, or Pageant, iestingly and prophanely speake or vse the holy name of God, or of Christ Iesus, or the Holy Ghost, or of the Trinitie, which are not to be spoken but with feare and reuerence, he shall forfeit for euery such offence by him or them committed, ten pounds to the King and Informer, to be recovered in any Court of Record at Westminster, wherein no C. D. or W. 4c. 3. lac. 1.

Players abusing the name of God.

Pleading, Pleaders.

All pleas which are to be pleaded in any of the Kings Courts, befoze any of his Iustices, or in his other places, befoze any of his other Iudges, or in the Courts and places of any other Lords within the Realme, shall be pleaded, shewed, answered, debated, and iudged in the English tongue, and shall be entred and inrolled in Latine. And the Lawes and Customes of the Realme, termes and processes shalbe holden and kept, as they be and haue bene befoze this time: And by the ancient termes and formes of the declarations no man shall be prejudiced, so that the matter of the action be fully shewed in the declaration, and in the writ. 36.E. 3. 15.

Pleading in the English tongue.

2 If any Action, Bill, Plaint, or Suit vpon the case, trespass, Batterie or false Imprisonment, shall be brought after fortie dayes next after the end of this Session of Parliament, in any of his Maiesties Courts at Westminster, or elsewhere, against any Iustice of peace, Mayor, or Bailife of Citty or Towne Corporat, Heaborough, Portreeue, Constable, Wythingman, Collector of Subsidie or Fines, for or concerning any matter, cause, or thing by them or any of them done, by vertue or reason of their, or any of their office or offices, it shall be lawful to and for euery such Iustice of Peace, Mayor, Bailife, Constable, or other officer or officers befoze named, and all others which in their aide or assistance, or by their commaundement, shall do any thing touching or concerning his or their Office or Offices, to plead the generall issue, that he or they are not guiltie, and to giue such speciall matter in euidence to the Iurie which shall trie the same, which speciall matter being pleaded had bin a good and sufficient matter in Law, to haue discharged the said defendant or defendants of the trespass or other matter laied to his or their charge: And if the verdict shall passe with the said Defendant or Defendants in any such Action, or the Plaintiffe or Plaintiffes therein become non-suits, or suffer any discontinuance thereof, in euery such case the Iustices or Iustice, or such other Judge befoze to whom the said matter shalbe tried shall by force and vertue of this Act allowe vnto the defendant or defendants his or their double costs, which he or they shall haue sustained, by reason of their wrongfull veration in defence of the said Action or suit: For which the said Defendant or Defendants shall

In action being brought against an officer he may plead not guilty.

The Defendant allowed double costs of suit.

shall

haue

Poore people.

have like remedie, as in other cases where Costs by the Lawes of this Realme are given to the Defendants: And this Act to continue for seven yeares and from thence to the end of the next Parliament after the said seven yeares. 7 Jac. 5.

1 The penaltie of Pleders which doe deceive the Court or the partie. S. De-
cret 1.

2 Beaupleader. S. 5. 2. H. 3. 11. 3. E. 1. 8. 1. E. 3. 8.

Poore people.

The help and
speed of poore
persons in suit

Everie poore person which shall have cause of action against any other, shall have by the discretion of the Chancelor, writs Originall, and writs of Subpoena, according to the nature of his cause, nothing paying to the King for the seales of the same, nor to any person for writing of the same writs: And the said Chancelor shall assigne such of the Clerkes, which shall use the making and writing of the same writs, to write the same ready to be sealed, and also learned Counsell and Attornies for the same, without any reward taking therefore. And after the said writs be returned, if it be before the King in his Bench, the Just. there shall assigne to the same poore person counsell learned by their discretions, which shall give their counsell nothing taking for the same. And in likewise the Justices shall appoint Attornies for the same poore person, and all other officers requisite to be had for the speed of the said suits, which shall doe their duties without any rewards for their counsell, helpe, and businesse in the same. And the same law and order shall be observed of all such suits to be made, before the King Just. of his Common Pleas, and Barons of his Exchequer, and all other Justices in Courts of Record where any such suits shall be. 11. H. 7. 12.

The Church-
wardens and
householders
Overseers of
the poore.

The Over-
seers duetie.

2 The Churchwardens of everie Parish, and four, three, or two substantiall householders there, as shall be thought meet, having respect to the proportion and greatnesse of the same Parish and Parishes, to be nominated yearly in Easter weeke, or within one moneth after Easter, under the hand and seale of two or more Justices of the peace in the same Countie, whereof one to be of the Quorum, dwelling in or nere the same Parish, or division where the same parish doth lye shall be called Overseers of the poore of the same Parish: And they, or the greater part of them, shall take order from time to time, by and with the consent of two or more such Justices of peace, as is aforesaid, for setting to worke of the children of all such whose parents shall not by the said Churchwardens and Overseers, or the greater part of them, be thought able to keepe and maintaine their children: and also for setting to worke all such persons married or unmarried, having no meanes to maintaine them, as use no ordinarie and daily trade of life to get their living by, & also to raise weekly or otherwise (by taxation of everie inhabitant, Parson, Vicar, and other, and everie occupier of lands, houses, tithes impropriat, or appropriation of tithes, cole mines, or saleable underwoods, in the said parish, in such competent summe and summes of money, as they shall thinke fit) a convenient stocke of flaxe, hempe, woll, thred, yron, and other necessarie ware and stufte to set the poore on worke: and also competent summes of money, for, and towards the necessarie reliefe of the lame, impotent, old, blind, and such other among them being poore, and not able to worke, and also for the putting out of such children to be apprentices, to be gathered out of the same Parish, according to the abittie of the said Parish, and to doe and execute all other things, as well for the disposing of the said stocke, as otherwise concerning the premises, as to them shall seeme convenient: which said Churchwardens and Overseers so to be nominated, or such of them as shall not be let by sicknesse or other iust excuse to be allowed by such two Justices of Peace, or more, shall meet together at the least once everie moneth in the Church of the

says

said Parish, upon the Sunday in the afternone, after diuine seruice, there to consider of some good course to be taken, and some mete orders to bee set downe in the premises, and shall within foure daies after the end of their yeare, and after other Quertiers nominated as aforesaid, make and yield by to such two Iustices of the Peace, as is aforesaid, a true and perfect accompt of all such summes of money by them receiued, or rated and sold, and not receiued: and also of such stocke as shall be in their hands, or in the hands of any of the poore to worke, and of all other things concerning their said office, and such summe or summes of money as shall bee in their hands, shall pay and deliuer over to the said Churchwardens, and Quertiers newly nominated and appointed, as aforesaid upon paine that euery one of them absenting themselves without lawfull cause, as aforesaid, from such monethly meeting for the purpose aforesaid, or being negligent in their office, or in the executions of the orders aforesaid, being made by and with the assent of the said Iustices of peace, or any two of them before mentioned, to forfeit for euery such default xx.s. 43. Eliz. 2.

The Quertiers accept.

The Quertiers forfeit.

3 If the said Iustices of Peace doe perceiue that the Inhabitants of any Parish are not able to leuie amongst themselves sufficient summes of money for the purposes aforesaid, then the said two Iustices shall and may rate, rate, and assess, as aforesaid, any other of other Parishes, or out of any Parish within the Hundred where the said Parish is, to pay such summe and summes of money to the Churchwardens and Quertiers of the said poore Parish, for the said purposes, as the said Iustices shall thinke fit, according to the intent of this law. And if the said Hundred shall not be thought to the said Iustices, able and fit to relieue the said severall Parishes, not able to provide for themselves as aforesaid, then the Iustices of Peace at their general Quarter Sessions, or the greater number of them, shall rate and assess, as aforesaid, any other of other Parishes, or out of any parish within the said Countie, for the purposes aforesaid, as in their discretion shall seeme fit. 43. Eliz. 2.

If provision where the inhabitants are not able to raise their poore.

4 And it shall be lawfull for the said Churchwardens and Quertiers or any of them, by warrant from any two such Iustices of Peace, to leuie as well the sayd summes of money, and all arrearages of euery one that shall refuse to contribute according as they shall be assessed, by distresse and sale of the offenders goods, as the summes of money, or stocke which shall be behind upon any accompt to be made as aforesaid, rending to the partie the ouerplus: and in defect of such distresse; it shall be lawfull for any such two Just. of P. to commit him or them to the common gaole of the Countie, there to remaine without baile or mainprise, till payment of the said summe, arrearages and stocke. And the said Iustices of peace, or any one of them, to send to the house of correction, or common gaole, such as shall not imploy themselves to worke, being appointed thereunto as aforesaid. And also any two such Just. of peace, to commit to the said prison euery one of the said Churchwardens, & Quertiers, which shall refuse to accompt, there to remaine without baile or mainprise, till hee haue made a true accompt, and satisfied and paid so much as upon the said accompt shall be remaining in his hands. 43. Eliz. 2.

If remedie for the leaping of money assessed.

If imprisonment in default of distresse. The punishment of those which will not worke.

5 It shall be lawfull for the said Churchwardens and Quertiers, or the greater part of them, by the assent of any two Just. of the peace aforesaid, to bind any such children as aforesaid, to be apprentices, where they shall see convenient, till such man child shall come to the age of xxiij. yerres, and such woman child to the age of xxi. yerres, or the time of her marriage: The same to be as effectuell to all purposes, as if such child were of full age, and by Indenture of covenant bound him or her selfe. 43. Eliz. 2. All persons to whom the Quertiers of the poore shall according to this Act bind any children apprentices, may take, receive, and keep them as apprentices, Any former Stat. to the contrarie notwithstanding. 1. Jac. 25.

The Quertiers may bind children apprentices.

Poore people.

Building of
houses on the
wast for the
poore to in-
habit.

6 It shall and may bee lawfull for the said Churchwardens and Overseers, or the greater part of them, by the leaue of the Lord or Lords of the manor, togeron any wast or common within their Parish is or shal be parcell, and vpon agreement befoze with him or them made in writing, vnder the hands and seales of the Lord or Lords, or otherwise, according to any order to bee set doctone by the Iustices of Peace of the said Countie, at their generall Quarter Sessions, or the greater part of them, by like leaue and agrément of the said Lord or Lords, in writing vnder his or their hands and seales, to erect, build, and set vp in fit and conuenient places of habitation, in such wast or common, at the generall charges of the Parish, or otherwise of the Hundred or Countie as aforesaid, to be tared, rated, and gathered in manner befoze expessed, conuenient houses of dwelling for the said impotent poore, and also to place inmates, or more families then one in one cottage or house, One Act made in the xxxi. yeare of her Maiesties raigne, intituled, An Act made against the erecting and maintaining of Cottages, or any thing therein contained, to the contrarie notwithstanding: Which Cottages and places for inmates, shall not at any time after be vsed or imploied to or for any other habitation, but only for impotent and poore of the same Parish, that shall be there placed from time to time by the Churchwardens and Overseers of the poore of the same Parish, or the most part of them, vpon the paines and forfeitures contained in the said Act made An. 31. El. 7. 43. El. 2.

A remedie for
them which
find them-
selues grieved

7 Provided allwayes, that if any person or persons shall find themselves grieued with any reffe or tare, or other Act done by the said Churchwardens, or other persons, or by the said I. of P. That then it shal be lawfull for the I. of peace at their generall quarter Sessions, or the greater number of them, to take such order therein, as to them shal be thought conuenient, And the same to conclude and bind all the said parties. 43. Eliz. 2.

poore relieved
by their pa-
rents, or chil-
dren.

8 The father and grandfather, and the mother and grandmother, and the children of euery poore, old, blind, lame, and impotent person, or other poore person not able to worke, being of a sufficient abilitie, shall at their owne charges relieue and maintaine euery such poore person in that maner, and according to that rate, as by the Iust. of peace of that Countie where such sufficient persons dwell, or the greater number of them, at their generall quarter Sessions shall be assessed, vpon paine that euery one of them to forfeit xx. s. for euery moneth which they shall faile therein. 43. El. 2.

Head officers
of corporat
townes haue
authoritie of
Iust. of peace.

9 The Bailiues, Bailiffs, or other head Officers of euery Corporate Towne, and place, and Citie within this Realme, being Iustice or Iustices of peace, shall haue the same authoritie by vertue of this Act, within the limits and precincts of their iurisdictions, as well out of Sessions, as at their Sessions, if they hold any, as is herein limited, prescribed, and appointed to I. of the P. of the county, or any two or more of them, or to the Iust. of peace in their Quarter Sessions, to do & execute for all the vses and purposes in this Act prescribed, and no other Iust. or Iustices of peace to enter or medle there. And euery Alderman of the citie of London within his Ward, shal and may do and execute in euery respect so much as is appointed and allowed by this Act to be done & executed by one or two I. of P. of any County within this Realme. 43. Eliz. 2.

A parish with
in two Coun-
ties, or part
lying within
a libertie, and
part without.

10 If it shall happen any parish to extend it selfe into more Counties then one, or part to lie within the liberties of any Citie, place, or Towne corporate, and part without, then aswel the Iustices of peace of euery Countie, as also the head Officers of such citie, place, or towne corporate, shall deale and intermeddle onely in so much of the said parish, as lieth within their libertie, & not any further, and euery of them respectiuelly within their severall limits, wards, & iurisdictions, to execute the ordinances befoze mentioned, concerning the nomination of Overseers, the consent

consent to binding Apprentices, the giving warrant to leuie taxations vnpaid, the taking accompt of Churchwardens & ouerscers, & the committing to prison such as refuse to accompt, or denie to pay the arrearages due vpon their accompts. And yet neuerthelesse, the said Churchwardens and Ouerseers, or the most part of them, of the said parishes that doe extend into such seuerall limits and iurisdications, shall without diuiding themselves duely execute their Office in all places within the sayd Parish, in all things to them belonging, and shall duely exhibite and make one accompt before the said Head Officer of the Towne or place Corporate, and one other before the said Iustices of peace, or any such two of them, as is aforesaid. 43. Eliz. 2.

11 If in any place within this Realm there happen to be hereafter no such nomination of Ouerseers yerely as is before appointed, Then euery Iustice of peace of the County, dwelling within the diuision where such default of nomination shall happen, & euery Mayor, Alderman, & Head Officer, of City, Town, or place corporate, where such default shall happen, shall forfeit for euery such default five pounds, to be imploied towards the reliefe of the poore of the same parish, or place corporate, & to be leuied as is aforesaid of their goods, by warrant from the generall Sessions of the peace of the said Countie, or of the same Citie, Towne, or place corporate, if they haue Sessions. 43. Eliz. 2.

The forfeiture for not naming ouerscers.

12 All penalties and forfeitures before mentioned in this Act shall go and be imployed to the vse of the poore of the same parish, and to wards a stocke and habitation of them, and other necessarie vses and reliefe, as before in this act are mentioned & expressed, and shall be leuied by the said Churchwardens and Ouerseers, or one of them, by warrant from any two such I. of peace, Mayor, Alderman, Head Officer of Citie, Towne, or place corporate, respectiuelly within their seuerall limits, by distresse and sale, as aforesaid, or in defect thereof, it shall be lawfull for any two such Iustices of peace, & the said head Officers &c. to commit the offendor to prison, there to remaine without baile or mainprise, till the said forfeitures shall be satisfied and paid. 43. Eliz. 2.

Howe the forfeiture shall be leuied and imployed.

13 The Iustices of peace of euery County or place corporate, or the more part of them, in their generall Sessions to be holden next after the Feast of Easter next, and so yerely as often as they shall thinke mete, shall rate euery Parish to such a weekely summe of money, as they shall thinke conuenient, so as no parish be rated above the summe of five pence, nor vnder the summe of an halfe penie, weekely to be paid, and so as the totall summe of such taxation of the parishes in euery Countie, amount not above the rate of two pence for euery parish in the said Countie, which summes so rated, shall be yerely assessed by the agreement of the parishioners within themselves, or in default thereof by the Churchwardens and petie Constables of the same parish, or the more part of them, or in default of their agreement, by the order of such Iustice or Iustices of peace, as shall dwell in the same parish, or (if none be there dwelling) in the parts next adioyning: And if any person shall refuse or neglect to pay any such portion of money so rated, it shall be lawfull for the said Churchwardens and Constable, or any of them, or in their default, for any Iustices of peace of the said Limite to leuie the same by distresse, and sale of the goods of the partie so refusing or neglecting, rendering to the partie the ouerplus, and in default of such distresse, it shall be lawfull to any Iustice of that limit, to commit such person to the sayd Prison, there to remaine without Baile or Paineprise, till hee haue paid the same. 43. Elizabeth. 2.

The Iustices shall rate euery parish to a weekely sum.

Refusing to pay the money taxed.

14 The said Iustices of peace at their generall quarter Sessions to be holden at the time of such taxation, shall set downe what competent summes of money shall be sent quarterly out of euery Countie or place corporate, for the reliefe of the

Reliefe of the prisoners in the Bench, Marshalse, poore Hospitals.

Poore people.

poore prisoners of the Kings Bench and Marshalse, and also of such Hospitals, and Almes houses, as shall be in the said Countie, and what summes of money shall be sent to euery one of the said Hospitals and Almes houses, so as there be sent out of euery Countie yearely twenty shillings at the least to each of the said prisons of the Kings Bench and Marshalse, which summes ratably to be assessed vpon euery Parish, the Churchwardens of euery Parish shall truly collect and pay ouer to the High Constables, in whose diuision such parish shall be scituated from time to time quarterly ten daies befoze the end of euery quarter: And euery such Constable at euery such quarter Sessions in such Countie, shall pay ouer the same to two such Treasurers, or to one of them, as shall by the moze part of the Iustices of Peace of the Countie, be elected to be the said Treasurers, to be chosen by the Iustices of Peace of the said Countie, Citie, or Towne, or place Corporat, or of others which were assessed and taxed at five pounds lands, or tenne pounds goods, at the least, at the tare of Subsidie next befoze the time of the sayde election to be made. And the said Treasurers so elected, shall continue but for the space of one whole yeare in their office, and then giue vp their charge, with a true account of their receipts, and disbursements, at the Quarter Sessions to be holden next after the Feast of Easter in euery yeare, to such others as shall from yeare to yeare in forme aforesaid, successiue be elected Treasurers for the said Countie, Citie, Towne, &c. which said Treasurers, or one of them, shall pay ouer the same to the Lord chiefe Iustice of England, and Knight Marshall for the time being, equally to be diuided for the vse aforesaid, taking their acquitances for the same, or in default of the said chiefe Iustice, to the next auentient Iustice of the Kings Bench, as aforesaid. And if any Churchwarden, or high Constable, or Executors or Administrators, shall faile to make payment in forme afoze specified, then euery Churchwarden, his Executors or Administrators, so offending, shall forfeit for euery time the summe of tenne shillings, and euery High Constable his Executors or Administrators, shall forfeit for euery time the summe of twenty shillings, the same forfeitures together with the summes behind, to be leuied by the said Treasurer, and Treasurers, by way of Distresse, and sale of the goods, as is aforesaid, in forme aforesaid and by them to be employed, towards the Charitable vses comprised in this Act. 43. Elizabeth. 2.

Treasurer.

Chiefe Iust.
of England,
Knight Marsh.
shall.

Churchward.
or high Con-
stable failing
of payment.

How the sur-
plusage shall be
bestowed.

15 All the surplusage of money which shall be remaining in the said stock of any Countie, shall by the discretion of the moze part of the Iustices of Peace in their Quarter Sessions be ordered, distributed, and bestowed, for the relief of the poore Hospitals of that Countie, and of those that shall sustaine losses by fire, water, the Sea, or other casualties, and to such other charitable purposes for the relief of the poore, as to the moze part of the said Iustices of Peace shall seeme conuenient. 43. Eliz. 2.

Refusing to
be Treasurer,
or to giue the
reliefe appoint-
ed.

16 If any Treasurer elected shall wilfully refuse to take vpon him the said Office of Treasurership, or refuse to distribute & giue reliefe, or to account, according to such forme as shall be appointed by the moze part of the said Iustices of Peace, then it shall be lawfull for the Iustices of Peace in their Quarter Sessions, or in their default for the Iustices of Assise, at the Assises to be holden in the same Countie, to fine the same Treasurer by their discretion: the same fine to be leuied by sale of his goods, and to be prosecuted by any two of the said Iustices of Peace whom they shall authorize. 43. Eliz. 2.

The Island of
Fowleness.

17 Whereas the Island of Fowleness in the County of Essex being inuironed with the sea, and hauing a Chappell of ease for the inhabitants thereof, and yet the said Island is no Parish, but the lands in the same are scituated in diuers Parishes farre distant from the said Island: The Iustices of Peace of the said Countie shall nominate & appoint Inhabitants within the said Island, to be Quersers for the

poore people dwelling within the said Island: And both they the said Iustices, and the said Officers shall haue the same authoritie to all intents, for the execution of the parts and Articles of this Act, and shall be subiect to the same forfeitures, and likewise the inhabitants & occupiers of lands there shall be liable & chargeable to the same payments, charges, expences, & orders, in such maner and forme as if the said Island were a parish: In consideration whereof neither the said inhabitants or occupiers of land within the said Island, shall not be compelled to contribute towards the reliefe of the poore of those parishes, wherein their houses or lands which they occupy within the said Island are situated, for, or by reason of their said habitations or occupiers, other then for the reliefe of the poore people within the said Island: neither yet shall the other inhabitants of the parishes wherein such houses or lands are situated, be compelled by reason of their residence or dwelling, to contribute to the reliefe of the poore inhabitants within the said Island. 43. Eliz. 2.

18¹ If any action of trespass, or other suit shall happen to be attempted & brought against any person or persons for taking of any distress, making of any sale, or any other thing doing, by authoritie of this Act: The defendant or defendants in any such action or suit shall and may either plead not guilty, or otherwise make Answer, cognisance, or Justification, for the taking of the said distress, making of sale, or other thing doing by vertue of this Act, alledging in such Answer, Cognisance, or Justification, That the said distress, sale, or other thing whereof the plaintife or plaintifes complained, was done by authoritie of this Act, and according to the tenor, purport, and effect of this Act, without any expressing, or rehearsall of any other matter or circumstance contained in this present Act: To which Answer, Cognisance, or Justification, the plaintife shall be admitted to reply, That the defendant did take the said distress, made the said sale, or did any other act, or trespass, supposed in his declaration of his own wrong, without any such cause alledged by the defendant: whereupon the issue in euery such action shall be joyned, to be tried by verdict of twelve men, and not other wise, as is accustomed in other personall Actions: And vpon the triall of that issue, the whole matter to be given on both parts in euidence, according to the verie truth of the same. And after such issue tried for the defendant or non suite of the plaintife after apparance, the same defendant to recouer treble damages by reason of his wrongfull veration in that behalfe, with his costs also in that part sustained, and that to be assessed by the same Iurie, by writ to inquire of damages as the same shall require. 43. Eliz. 2. 1. Jac. 2. 5. To continue vntill the end of the first Session of the next Parliament.

The def. pleads in a suit commenced against him.

1 Any man may graue land holden in Socage, for the maintenance of houses of Correction, or for any stockes of poore. S. Mortmaine 10.

Prerogative, Preheminance.

The King by his Prerogative Royall, shall haue the Wardship of all their lands which hold of him in chiefe by knights seruice, whereof the tenants were seised in their demesne, as of fee, the day of their death, of whomsoever they hold of like seruice, so that they held of auncient time any land of the K. as of his Crowne, vntill the heire come vnto his lawfull age, except the fees of the Archbishop of Canterbury, the Bishop of Durham, betwene Line and Lees, fees of Carles, and Barons of the Marches, of lands in the Marches where the Kings writs doe not lie, and whereof the said Archbishop, Bishop, Carles, and Barons, haue had the wardship, though other wise they held of the King. Prerogativa Regis 17. Ed. 2. 1. S. Wards 17.

Wardship.

2 Also he shall haue the mariage of an heire being within age, and in his custody, whether the land of such heire haue of auncient time borne holden of the Crowne,

Mariage.

Prerogative, Prebeminence.

Crowne, or that in came by reason of Escheate, being in the Kings hands, or that he hath the mariage by reason of the Ward of the Lord of such heirs, without respect of the priority of seoffement, although the heirs held of others. 17.E.2.2.S. Wardes 19.

Primer Seisin. 3 Also he shall haue Primer seisin after the death of those which hold of him in chiefe, of all the lands and tenements, whereof they were seised in their demelines as of fee, of what age soeuer their heirs be, by taking the issues of the same lands, vntill inquisition be made as the custome is, and that he hath receiued the homage of such heirs. 17.E.2.3.Marlb.52.H.3.16.

**The Kings
Widowes.**

4 Also he shall assigne to widowes, after the death of their husbands that held of him in chiefe, the dower that to them belongeth, though the heir be of full age, if the widowes will. And such widowes before assignement of Dower, shall sweare, that they shall not marie without the Kings licence, whether their heirs be of full age or not, and if they doe marie themselves without the Kings licence, then the K. shall take into his hands by way of distresse, all such lands as they hold of him in dower, vntill he be satisfied at his pleasure, so that the woman shall take nothing of the issues: for after such distresse, they or their husbands must make fine to the King at his pleasure, which fine in auncient time, was one yeres value of her dower, vntill she found the greater sauor. And also women that hold of the K. in chiefe, of what age soeuer they be shall sweare that they shall not marie themselves without the K. licence, and if they doe, their lands shall be taken in like maner into the K. hand, vntill he be satisfied at his pleasure. Mag. Char. 9. H. 3. 7. 17.E.2.4. And after of the Kings Wards & Liveries, by the aduise of the Atturney, Receiuer generall, & Auditors of the same court, or thre of them, haue authoritie to suruey all the Kings widowes, and to commune and conclude with euery of them, which shall marie themselves without the K. licence, for their reasonable fines to be made to the K. vse, and to take and assesse the same by their discretion, according to the foresaid Statute of Prerog. Reg. 32. H. 8. 46.

**Women
tenuis.**

5 If a woman before the death of her auncestors that holdeth of the K. in chiefe, be married before she be marriageable, then the King shall haue the wardship of the bodie of the same woman, vntill she be of age able to consent, and then she may chuse whether she will haue him to whom she was first married, or him that the K. will offer her. 17.E.2.6.

Coparceners.

6 If an inheritance which is holden of the K. in chiefe, doe descend to seuerall coparceners, then all the heirs shall doe homage to the K. and the same inheritance so holden of the K. shall be diuided amongst those heirs, in such sort, that euery of them after that shall hold their part of the King. 17.E.2.5. Stat. Hibernie.

**Alienation
without li-
cence.**

7 None which holdeth of the King in Capite by Knights seruice, may without the kings licence, alien the greater part of his lands in such sort, but that the residue may be sufficient to doe his seruice: But this had not wont to be intended of small members and parcels of the same lands. Magna Char. 9. H. 3. 32. 17.E.2.7.

**Tenure by
Sergeantie.**

8 If any which holdeth his lands of the King by sergeanty, doth alien the same without the Kings licence, he shall pay therefore a reasonable fine. 17.E.2.7. But by the Stat. 1.E.3.12. the same lands shall not be sozt. to the king by such alienation. And by the Stat. 9.H.3.31. and 1.E.3.13. & 1.E.6.4. He that holdeth of the King, as of any honors, castles, manors, lands, &c. being in his hands, by reason of any new escheat to the crowne, or by attainder, conviction, outlawrie or by dissolution of any religious house, or by purchase, doth not hold of him in Capite, neither shall he doe other seruices, then if the same manors &c. were in other mens hands.

Lapse.

9 If other men do present to Churches being void, the aduotisons whereof belong to the King, whereupon debate riseth betwene the King and the others: If the King by award of the Court, do reconer his presentation, though it be after the lapse

lapse of 6. moneths from the time of the avoidance, no time shall preiudice him, so that he be present within the space of 6. moneths. 17. Ed. 2. 8.

10 The King shall have the custodie of the lands of naturall soles, and take the profit thereof, without any waite or destruction. And shall find to them things necessary, of whose fees soever the same lands be, and after the death of the same soles, he shall render the same lands to the right heirs, so that such Heir shall not alien, nor their heirs be disinherited. 17. E. 2. 9. The Master of the Kings Wardens & Lineries, by the advice of the Attorney, Receiver general, & Auditors of the same Court, or three of them, hath authoritie to survey, govern, & order all Heirs and naturall soles, and their manors, lands, tenements, and other hereditaments, being in the Kings hands, or in the hands of any other person or persons, to their uses, or the use of any of them, and to let & set the manors, lands, &c. to the Kings use for the time of his interest, for such rent and fine, as by their discretion shall be thought good, the finding and keeping of the said persons, their wives and children, and the reparations of their houses and lands and waies to be considered. 30. H. 8. 45.

Heirs.

11 Also the King shall provide, that when any that before time hath had his memory and understanding, shall become besotted, and so fails of his wit (as certain ade Per lucida intervalla) that their lands and tenements shall be safely kept, without waite or destruction, and that they and their same in that line, and be conveniently maintained, with the profits thereof, & that the residue besides their maintenance, shall be kept to their use, & be delivered unto them when they come to their perfect memory, so that such lands and tenements shall not be alienated within the same time, neither shall the King take any thing to his owne use: And if the parties die in such estate, then the residue shall be distributed for his soule by the advice of the Dynastie. 17. Ed. 2. 10.

Unatike.

12 The King shall have the wycke of Sea through the Realme: Whales and Sturgeons taken in the sea, or elsewhere within the realme, except in certain privileged places. 17. E. 2. 11.

Wycke of the Sea.

13 When any person which holdeth of the King in Capite dieth, and his heir doth enter into the land that his ancestor held of the King, the daie of his death before he hath done homage to his Grace, & received of him seisin, hee shall thereby gaine no freehold, & if he die seised during that time, his wife shall not be enfeoffed of the same land. But this is not meant of Socage & small Tenures. 17. E. 2. 13. And if any shall make a Purpresture or Usurpation upon the Kings land, the King shall reseiſe the land out of the hands of the intruder. Big. 4. Ed. 1. 4.

Intrusion.

14 The King shall have Escheates of the lands of Archbishops, & Bishops freeholders, when such Tenants be attainted of Felonie, committed in time of vacation, whilst their Temporalities were in the Kings hands, to bestow in what sort it shall please him: Saving to such Prelates the service that to them is due and accustomed. 17. Ed. 2. 14.

Escheats in time of vacation.

15 When the King giveth or graunteth to any person a manor, or land, with the appurtenances, without hee make expresse mention in his Writ, or Writing, of knights fees, Advowsons of Churches, and Dowers, when they fall, belonging to such manors, or lands, then the king reserveth to himselfe such fees, advowsons, and dowers, though amongst other persons there be no such reservation. 17. Ed. 2. 15.

Knights fees, Advowsons, Dowers.

16 The King shall have the goods of all felons which be condemned, & which be fugitive, wheresoever they be found, and if they have any freehold, it shall forthwith be seised into the Kings hands, and the King shall have the profits thereof by the space of a yeare and a day, and the land shall be waisted and destroyed in the houses, woods, & gardenes, and in all things belonging to the same (except men of certayne places privileged) And after the King hath had the yeare, day, and waite,

Annum, diem & vastum,

the

Prerogative, Preheminence. Preacher &c.

Annon, diem, & vassum. the land shall be restored to the chiefe Lord of the same fee, vnlesse that before he redeeme the same pce, day, and waite of the King, by payment of a fine. But there is a custome in the Countie of Gloucester, that after a yeare and a day the lands and tementments of felons in that shire, shall reuert and be restored to the next heire, to whome they ought to haue descended, if the felonie hath not bin committed. And in Kent, in Canouckind, (the father to the Bough, the sonne to the Plough) there all the heires males shall diuide their inheritance, and likewise women. But women shall not make partition with men. And a woman after the death of her husband shall be endowes of the moitie. And if a woman commit fornication in her widowhood, or take any husband, she shall lose her dower. *Prerog. Regis, Anno 17 Ed. 2. 16. Mag. Charta 9. H. 3. 22.*

None may pardon felons or make Justices, but the King. 17 No person or persons shall haue authoritie to pardon any treasons, murders, manslaughter, or felonies, or any accessaries to the same, or any Outlawries for any such offences committed &c. or to make any Justices of Oyre, Justices of Assise, Justices of Peace, or Justices of Gaole Delinerie, but onely the R. Patre, his heires and successors, Kings and Quenes of this Realme, which haue the same whole and sole power vntied to the imperiall Crowne of this realme. And all such Justices, Officers &c. shall be made by letters patents vnder the R. great seale in his name, and by the authoritie of him and his heires &c. in all Counties within any of his dominions. 27. H. 8. 25.

All writs made in the Kings name. 18 All originall and iudiciall writs, & all inditments of Treason, Felonie and Escapes and all manner of proces to be made vpon the same in euery Countie Palantine, & other liberties within England, Wales, or the Marches thereof shall be made onely in the name of the King, and his heires, Kings or Quenes of England. And euery person hauing such Countie Palantine, or other libertie to make such originals, iudicials, or other proces of Justice, shall make the Telle in the said Writs, in the name of the same person or persons that haue such Countie Palantine, or Liberties. 27. H. 8. 25.

Writs of Inditments contra pacem. 19 Euery writ and Inditment that shall be made within any Countie Palantine, or Libertie, whereby it shall be supposed any thing to be done against the Kings peace, shall be made and supposed to be done against the Kings peace, his heires and successors, and not against the peace of any other person, &c. 27. H. 8. 25.

Fines & forfeitures of Bailiffs and Sheriffs. 20 The King his heires and successors, kings or Quenes of this Realme, shall haue all fines, issues, amerciaments, and forfeitures, that shall be lost, forfeited, or assessed, by or vpon any Sherwards, bayliffs, or other Officers, of any franchises or liberties, for non execution, or misexecution, or insufficient returns in such writs, warrants, precepts, or other proces, which to any of them, or to any their deputies shall be directed, or for any contempt, or other misdemeanor concerning their offices, in & for the due execution or administration of Just. any graunt, allowance, or other thing &c. notwithstanding. 27. H. 8. 25.

1 For the Kings prerogatives and preheminences, 5 Accomptants to the King 1. &c. Abilitie 1. Damages 9. Fines 20. Recoveries 21.

Preacher, and Preaching.

Disturbance of a Preacher in the time of his Sermon. If any person of his owne authoritie, shall willingly, & of purpose by open words or deeds, maliciously, or contemptuously disturbe, or by any other vnlawfull waies disquiet or misuse any preacher allowed to preach by the Quene, or by any Archbishop, or Bishop of this Realme, or by any other lawful Ordinary, or by any of the Vniuersities of Oxford and Cambridge, or otherwise lawfully authorized or charged by reason of his Cure, Benefice, or other spirituall promotion or charge,

charge, in his open Sermon, Preaching, or Collation, that he shall preach or pronounce in any Church, Chappell, or Church-yard, or in any other place used or appointed: then every such offender, his aiders, procurers, or abettors, immediately after any of the said misdemeanors committed, or at any time after, shall be arrested by any Constable, or Church-warden of the said Parish, Towne, or Place, where the said offence shall be so committed, or by any other Officer, or by any other person then being present at the time of the said offence, and carried to any Justice of Peace within the said Shire, or within any Citie, Borough, Libertie, or Towne corporate, wherein Justices of Peace be, where the said offence shall be so committed, & the said Justices upon due accusations thereupon made by the Apprehender, or other person, of the offender, forthwith shall commit him to safe keeping, & within five daies immediately after the said accusation so made, the said Justice with one other Justice of Peace within the Shire, Citie, Borough, Libertie, or Towne Corporate, shall diligently examine the offence aforesaid. And if the said two Justices shall upon their examination finde the person so accused guiltie of any of the said offences, whereof he shall be accused, and that by two sufficient witnesses, or by his confession, then they shall commit him to the Gaole of the said Shire, Citie, Borough, &c. where the offence was committed, there to remaine without Baile or mainprise, by the space of three moneths then next ensuing, and further to the next Quarter Sessions &c. at which Sessions, the said person, upon his reconciliation & repentance before the said Justices at the said Sessions, shall be delivered out of prison upon sufficient suretie of his good abearing and behaviour, to be then and there taken by the said Justices for one whole yeare then next ensuing, as by the discretion of the said Justices then & there being, or of the major part of them shall be thought convenient. And if the said person will not be reconciled and repent at the said Quarter Sessions, then he shall be further committed to the said Gaole by the said Justices, there to remaine without baile or mainprise, untill he shall be reconciled, and be penitent &c. 1. M. 3.

2 If any person or persons of their owne authoritie, willingly and unlawfully doe rescue any offender so apprehended, or will disturbe the said offender to be apprehended, then everie one of the said rescuers or disturbers shall suffer like imprisonment, as is aforesaid, and further shall pay for every of his offences v. l. to the Quene. 1. M. 3.

Rescuing the offender, or disturbing the arrest.

3 If any of the offenders aforesaid be not apprehended in time convenient, but doe escape, then the said escape shall be lawfully presented before the Justices of P. at the next quarter Sessions &c. and the inhabitants of the parish where the said escape was suffered, shall for to the P. &c. for every such offence v. l. to be levied and taken as other like amerancements and fines bene levied upon any Village, Hamlet, or Towne, for the escape of any murdurer, or other felon, for not making pursuit upon hue and cry, according to the statute of Winchester, and the statute of 3. H. 7. 1. 1. M. 3.

The punishment of the towne, where the offender doth escape.

4 This Act shall not extend to take away the authoritie and punishment of the Ecclesiasticall Lawes standing in force for the punishment of any the offences aforesaid. But they shall be used in everie thing, as though this Act had never bene made. 1. M. 3.

Punishment by the Ecclesiasticall lawes.

5 Whatsoever person offending in the premises, shall for any the offences aforesaid, receive punishment of the ordinarie, having testimoniall thereof under the said Ordinaries seale, shall not for the same offence estrowes be committed before the Justices: Et c. conuerso. 1. M. 1. Parl. 3. S. Arrests 1. Just. of Peace 11.

But once punished for one offence.

Premunire, Prouifion.

Premunire, Prouifion.

Premunire
by reason of
suit in a for-
eigne Realme,
or in impeach-
ing Judges
ments.

If any of the Kings people do braise any man out of the Realme in suite for any cause, the cognisance whereof pertaineth to the Kings Court, or for any things whereof there is Judgement given in the Kings Court: Or dos sue in any other Court to defeat or impeach the Judgement given in the Kings Court, they shal haue day containing the space of two monethes by warning to be giuen to them, in the place where the possessions be, which he in debate, or some where else, where they haue lands or other possessions, by the Sheriffe or other of the Kings Officers, to appeare before the King and his Councell, or in his Chancery, or before his Iustices of the one Bench, or the other, or before other of the Kings Iustices, which shall be thereunto appointed, to answer in their proper persons to the King of their contempt in this case committed, and if they come not at the said day in their own proper persons to answer and stand to the Law, they, their Procurators, Attornyes, Executors, Potaries, and Maintainers, shall from the same day be put out of the Kings protection, and their lands, goods, and cattels shalbe forfeited to the King, and their bodies, wherefoeuer they be found, shall be punished at the Kings pleasure. And a writt shall be awarded to apprehend their bodies, and to seise their lands, goods, & possessions into the Kings hands. And if it be returned, that they cannot be found, they shall be put in Exigent and outlawed. But at whatsoeuer time they will come before they be outlawed, and will tender themselves to the Kings prison, to be indicted by the law, and to receiue that which the Kings Court in this behalf shall award, they shall be thereunto receiued, yet shall the forfeiture of the lands, goods, and cattels remaine in his force, if they do not yield themselves within the two monthes, as is aforesaid. 27. Ed. 3. 1.

Taking Be-
nefices of A-
liens.

Conveying of
commodities
to Aliens.

2 None of the Kings liege people, nor other person, shall take within England, Procuracie, Letter of Atturney, Ferme, or other Administration, by Indenture, or in other manner, of any person of the world, of any Benefice within the said Realme, but onely of the Kings liege people of the same Realme, without the speciall grace and expresse licence of the King, by the aduise of his Councell. Nor any of the said liege people, or other, that may be found in the said Realme, shall conuey by vertue of such procuracie, ferme or administration, gold, silver, or other treasure or commodities out of the said realme, by letter of exchange, by merchandise, or in any other manner whatsoever, to the profit of the said Aliens, without the like licence: If any do the contrarie in any point, he shall incur the punishment contained in the foresaid statute of 27. Ed. 3. and by the same process comprised in the said statute, shall be warned in their benefices, or their other possessions within the Realme. And if they be out of the Realme, and haue no benefices, nor possessions within the Realme where they may be warned, a writt shall be directed out of the Chancery to the Sherifes of London, or to the Sherife of the Countie where they were borne, at the Kings suit, returnable into the one Bench, or the other, by the which writt commandement shall be giuen, that Proclamacion shall be openly made, that they shall be before the Iustices in the Bench, where the writt is retournable at a certaine day comprised in the said writt containing the space of halfe a yeare, to make answer to the matters comprised in the said writt, and this writt being returned, the Iustices shall proceed against them in seime aforesaid. 3. R. 2. 3. 7. R. 2. 12.

No sequestra-
tion of Aliens
Benefices.

3 No Bishop, or other Ecclesiasticall person through the Realme, shall meddle by the way of Sequestration, or in any other manner, with the fruits of such Benefices, giuen to such Aliens, or to the profit of Aliens. 3. R. 2. 3. 7. R. 2. 12.

4 If any Alien doth purchase any Benefice of the Church, Dignitie, or other thing,

thing, and in his owne proper person both take possession thereof, or both occupie it within the realme, whether it be to his owne vse, or to the vse of any other, without the R. speciall licence, he shall bee comprised within the said Statute of 3. R. 2. And moreover, he shall in all points incurre the paines & forf. comprised in the stat. 25. Edw. 3. 2. 2. (prouided against those which purchase in the Court of Rome p^{ro}uisions, to haue abbeys and priories in England) viz. he shall be out of the Kings protection, & euerie man may vse him as an enemye of the King & the Realme. And whosoever offendeth against him in body, goods, or possessions, shall bee excused against all people, and shall neuer be impeached or grieved for the same, at any mans suit. 7. R. 2. 12. Sed S. 6. & Quære.

5. If any persons do purchase, or pursue, or cause to be purchased or pursued in the Court of Rome, or elsewhere, any translations of Bishops, P^{ro}ces, sentence of Excommunication, Bulls, Instruments or other things whatsoever, which doe touch the King, or which be against him, his Crowne & Regaltie, or his realme, they which bying the same within the Realme or do receiue them, or make thereof notification, or other execution whatsoever, within the realme, or without, their P^{ro}curators, P^{ro}curato^{rs}, P^{ro}curato^{rs}, Abbettos, P^{ro}curato^{rs}, & Counsellors, shalbe put out of the R. protection, and their lands & tenements, goods & cattels shalbe forfeited to the King. And they shalbe attached by their bodies (if they may be found) and brought before the R. & his Councell, to answer in his foresaid causes, or else p^{ro}ces shall be directed against them by Præmunire facias 16. R. 2. 5. But to obtaine from the Bishop or See of Rome, any manner of Bull, writing, or Instrument, written or printed, containing any thing, matter, or cause whatsoever, or to publish, or by any meanes to put in vse any such Bull, writing, or Instrument, it shall be adiudged to the offenders, their p^{ro}curato^{rs}, abbettos, & counsellors to the fact and committing of such offence, high Treason. 13. Eliz. 2. S. Rome 2.

By which Statute of 13. Elizab. and of certaine Statutes made 23. H. 8. 24. H. 8. 25. H. 8. 1. Eliz. 5. Eliz. the force of diuers other old Statutes, provided for the punishment of offences by Prouision or Præmunire seeme to be taken away, saving such which be in other Titles of this Booke expressed, for that the offences which in the said old Statutes were ordained to be punished in seuerall maners by Prouision & Præmunire, be now made high Treason, or other punishment appointed for them by the said new Statutes, or else the vse of them is wholly extinguished by dissolution of Monasteries, Abbeyes, Colledges, Free Chappels, &c. which were suppressed by the Statute of 27. Henrici 8. 31. Henri. 8. 13. Edw. 6. 14. *Tamen Quære.*

6. It shall not be lawfull to any person, to say any person in any manner attainted in or vpon any Præmunire by pretence, reason, or authoritie of any iudgement given vpon the same, or of any words or things contained in any Statute or law of Prouision and Præmunire: saving alwaies the due execution of euerie person attainted for any offence whereupon iudgement of death ought to be, and saving euerie such paine of death, or other hurt, or punishment, as heretofore might without daunger of law be done vpon any person that shall send or bring into any of the Quenes dominions, or within the same shall execute any summons, sentence, excommunication, or other p^{ro}ces against any person from the Bishop or See of Rome, or the authoritie of the same. 7. El. 1.

1. Præmunire for refusing to take the othe for the Queenes supreamo gouernement ouer all estates. S. Crowne &c. 6.

2. Præmunire for maintaining or setting forth the authoritie of the Bishop, or See of Rome. S. Rome 1.

3. Præmunire by aiding, comforting, or maintaining any offender after the offence, to the intent to set forth or allow the power of the Bishop or See of Rome. S.

So alien shall take a Benefice without the kings licence,

Quære.
Bispe or Instruments from R. coma.

Treason;

Quære.
So man shall be punished which is attainted in Præmunire.

Prison, Prisoners, Gaole, Gaolers.

Rome 3.

4 *Præmunire* by bringing, deliuering, or receiuing and vsing any *Agnus Dei*, crosses, pictures, beads, or such like from Rome. S. Rome 5.

5 *Præmunire* for not electing, nor certifying, or not admitting any Bishop elected. S. Bishop 4.

6 *Præmunire* in a Justice of peace, for not certifying the name of him which bringeth any *Agnus Dei*, crosses, or pictures. S. I. of P. 103.

7 Prouision in spirituall persons &c. within the Archdeaconrie of Richmond in Yorkshire, for taking more probate of Testaments then is lawfull. S. Probate of Testaments 14.

8 *Præmunire* for suing of *Appeales*, or for refusing to obey all things comprised in the statute prouided for suing of them. S. *Appeales* 7.

9 Brokers and driuers of Bargains, contrarie to the statute of 37. H. 8. prouided against *Vsurie*, shall be punished as Counsellors, Attornies, or aduocats in case of *Præmunire*. S. *Vsurie* 7.

10 *Præmunire* for molesting any person for any lands or possessions of any Abbey, Priore, Colledge, Chauntry, &c. S. Monasteries 32.

11 *Præmunire* for deliuering or sending any reliefe to a Iesuit, Priest, or other remaining in any Colledge of Iesuits. S. Iesuits 5.

Prison, Prisoners, Gaole, Gaolers.

NOne shall be imprisoned by any Justices of Peace, but onely in the common gaole: saving to Lords and others which haue gaoles their franchise in this case. 5. H. 4. 10. Every Shire within euery Countie in this Realme of England shall haue the custodie, rule, keeping & charge of euery of the 11. common Gaoles, Prisons, and prisoners in the same, in euery of the said Counties where he is Shire, during the time of his office: except all gaoles, whereof any person or persons spirituall or temporall, or body corporate haue the keeping of estate of inheritance, or by succession. 19. H. 7. 10. 14. Ed. 3. 10.

A prisoner by duces becomes an approuer.

2 Shires shall haue the keeping of Gaoles, and put in such keepers for whom they will answer. And if any keeper of prison, or vnder keeper shall by too great duces of imprisonment and paine, cause any prisoner which he hath in his custodie to become an approuer against his will, & is thereof attainted, he shall be adiudged a felon. 14. E. 3. 10.

The Shire shall certifye all his prisoners names.

3 Euery Shire, Bayliffe of Franchise, and euery other person hauing authoritie of keeping of Gaoles, or of Prisoners for felonie shall certifye the names of euery prisoner in their keeping, and of euery prisoner to them committed for any such case, at the next generall Gaole Delinerie, in euery County or Franchise where any such Gaole is, or shalbe, there to be calendared before the Justices of the delinerie of the same Gaole, whereby they may as well for the King, as for the parties, procede to make delinerie of such Prisoners, according to the Lawes, vpon paine to forfeit to the King for euery default there recorded an C. shillings. 3. H. 7. 3.

A prouision for the reliefe of Prisoners.

4 It shall and may be lawfull for the Justices of Peace of euery Shire within this Realme, at their generall Quarter Sessions of the Peace to be holden within the same Shires, or the most part of the said Justices being there present, to rate and take euery Parish within the said Shires, at such reasonable summes of money, for and towards the reliefe of the Prisoners being within the common Gaoles of the said Shires, as they shall thinke convenient by their discretions: so that the said taxation and rate doth not exceede aboue vs. 8. or viij. s. by the weeke out of euery Parish. And the Churchwardens of euery Parish within this Realme

Realme for the time being, shall euerie Sunday leuie the same: And once euerie Quarter in the yeare, pay to the High Constables, or Head Officers of euerie Towne, Parish, Hundred, Ryding, or wapentake, within this Realme, all such summes of money as their Parish shall be taxed, for and towards the reliefe of the said Prisoners within their said seuerall Parishes. And the said high Constables, and Head Officers, and euerie of them, shall pay all such summes of money so to them payed by the said Churchwardens, at euerie generall Quarter Sessions to be holden within the said seuerall Shires, to such sufficient persons dwelling nigh the said Gaoles, as shall be appointed by the said Iustices in their said open Quarter Sessions, to be there ready to receiue the said money so collected, as is aforesaid. And the Collectors for the said Prisoners shall weekly distribute and pay all such summes of money, as they and euerie of them shall receiue for the reliefe of the said Prisoners, as aforesaid, vpon paine as well the said Churchwardens of euery Parish, Constables, and head Officers of euery Hundred, or wapentake, as also the said Collectors appointed for the collection and contribution of the said Prisoners, so making default, as aforesaid, to forfeit v. l. The one moiety to the King, his heires and successors, and the other moiety to the reliefe of the Prisoners: Any statute, law, custome, or other thing to the contrary notwithstanding. 14. Eliz. 5. 1. l. c. 5. To continue to the end of the first Session of the next Parliament.

5 He that breaketh Prison shall not haue punishment of life or member for the breaking of the Prison only, except the matter or cause for the which he was imprisoned and taken did require such Iudgement, if he had been convicted thereupon after the law and custome of the Realme, albeit in times past it hath been done and vsed otherwise. An. 1. Ed. 2.

Breaking
Prison.

6 Sherrifes and Gaolers shall receiue and safely keepe in prison, Felons, persons appealed, indicted, or taken with the manner, and apprehended and taken by the Constables and Towneships, by the deliuerie of the same Constables and Towneships, without taking any thing for their writ. And the Iustices assigned to deliuer the Gaole, shall haue authoritie to heare their complaints, that will complaine vpon Sherrifes and Gaolers in such case, and to punish them, if they be found guiltie. 4. Ed. 3. 10.

Gaolers shall
receiue fe-
lons.

7 All and euerie person and persons whatsoever that shall be committed to the common or vnsall Gaole within any Countie or libertie within this Realme, by any Iustice, or Iustices of Peace, for any offence, or misdemeano, the said person or persons so to be committed, as aforesaid, hauing meanes or abilitie thereunto, shall beare their owne reasonable charges for so conueying or sending them to the said Gaole, and the charges also of such as shall be appointed to guard them to such Gaole, and shall so guard them thither. And if any such person or persons so to be committed, as aforesaid, shall refuse at the time of their commitment and sending to the said Gaole, to defray the said charges, or shall not then pay or beare the same, Then such Iustice or Iustices of the Peace, shall and may by writing vnder his or their hand and seale, or hands and seales, give warrant to the Constable, or Constables of the Hundred, or Constable, or Tythingman of the Tything or Towneship, where such person or persons shall be dwelling and inhabite, or from whence he or they shall be committed as aforesaid, or where he or they shall haue any goods within the Countie or libertie, to sell such and so much of the goods and chattels of the said persons so to be committed, as by the discretion of the said Iustice, or Iustices of the Peace, shall satisfie and pay the said charges of such his or their conueying and sending to the said Gaole, the Appraisment to be made by foure of the honest Inhabitants of the Parish, or Tything, where such goods or chattels, shall remaine and be: And the ouerplus of the money which

A Prisoner
conueyed to
the Gaoler
at his owne
charges.

Prison, Prisoners. Gaole, Gaolers.

shalbe made thereof, to be deliuered to the partie to whom the said goods shall be long. 3. Iac. 10.

The offend-
bring not a-
ble, the De-
fend shall be
charged.

8 If the said person or persons so to be committed as aforesaid, shall not haue, or be knowen to haue any goods or chattels, which may be so sold for the purpose aforesaid, within the Countie or libertie, then an indifferent taxe or assessment shall be made by the Constables and Churchwardens, and two or three other the honest Inhabitants of the Parish, Towneship, or Tything, where the said offend- do or offenders shall be taken or apprehended, the said Taxation being allowed vnder the hand of one or more Justice, or Justices of the Peace, if there be such Constables and Churchwardens there inhabiting, and in default of them, by four of the principall Inhabitants of the said Parish, Towneship, or Tything, where such offenders shall be taken or apprehended. And if any so taxed, or assessed, shall refuse to pay their said taxation, then the Justice, or Justices of Peace, by whom the said Offenders shall be committed to prison, as aforesaid, or any other Justice of Peace nere adioyning, shall and may giue warrant as aforesaid, to the Constable, Tythingman, or other Officer, there to distraine the goods of any so assessed which shall refuse to pay the same, and to sell the same. And such person or persons so authorized, shall haue full power and authoritie so to distraine, and by appraisement of four substantiall Inhabitants of the said place, to sell a sufficient quantitie of the goods and chattels of the said persons so refusing, for the leuying of the said Taxation. And if any ouerplus of money come by the sale thereof, the same to be deliuered to the person or persons, owner or owners thereof. 3. Iac. 10.

The defend-
ants plea in
Trespas, or
Auoizie.

9 If any Action of Trespas, or other suite shall happen to be attempted, and brought against the person or persons for taking of any distresse, making of any sale, or any other Act, by authoritie of this present Act, The defendant, or defendants in any such Action, or Suit, shall and may either plead not guiltie, or otherwise make Auoizie, Cognisance, or Iustification, for the taking of the said distresses, making of Sale, or other Act, by vertue of this Act, alleaging in such Auoizie, Cognisance, or Iustification, that the said distresse, sale, trespasse, or other thing, whereof the plaintife or plaintifes complained, was done by authoritie of this Act, and according to the tenor, purport, and effect of this Act, without any exprelling, or reherfall of any other matter of circumstance concerned in this Act: So which Auoizie, Cognisance, or Iustification, the plaintife shall be admitted to replie that the defendant did take the said distresse, made the said sale, or did any other Act or Trespasse, supposed in his declaration of his owne wrong, without any such cause alleadged by the said defendant, whereupon the issue in euery such Action shall be ioyned to be tried by verdict of twelve men, and not otherwise, accustomed in other personall Actions: And vpon the triall of that issue, the whole matter to be giuen on both parties in euidence, according to the verie truth of the same. And after such issue tried for the defendant, or non-suit of the plaintife after appearance, the said defendant to recover treble damages, by reason of his wrongfull veration in that behalfe, with costs also on that part sustained, and that to be assessed by the same Iurie, or iury to inquirs of the damages as the same shall require. 3. Iac. 10. To continue vntill the end of the first session of the next Parliament.

1 No Habias Corpus shall bee graunted to remoue any Prisoner out of any Gaole, except it bee signed with a Iustices hand of the same Court. S. Remouer 1.

2 The Iust. of the K. Bench may send downe prisoners and their Indictments, to be tried in the Countrey. S. Remouer 2.

3 A prisoners goods shal not be seised, vntill he be attainted. S. Shirifes 24.

4 In

Probate of Testaments, and Administration.

351

4 In what case it is felonie for any person to breake prison. S. Felony 15.

5 Where the Keeper of a prison shalbe charged for not receiuing, or letting go a prisoner offered or committed to his custodie. S. Escape 1. Statutes &c. 1. Physicians 4.

6 Iust. of peace shall examine an offender, and put his examination in writing before he commit him to prison. S. Iust. of P. 108.

Probate of Testaments, and Administration.

Nothing shalbe demanded, receiued, nor taken by any Bishop, Ordinarie, Archdeacon, Chancelloz, Commissarie, Officiall, nor any other person or persons whatsoener, hauing authoritie to take or receiue probacion, insinuation, or approbation of Testament or Testaments, by himselfe, or themselves, nor by his or their Registers, Scribes, Prayers, Summoners, Apparitors, or by any other of their Ministers, for the probacion &c. of any Testament, or for writing, sealing, praying, registering fines, making of Inventories, and giuing of acquitances, or for any other cause concerning the same, where the goods of the Testator of the said Testament, or person so dying, doe not amount clerely ouer and aboue the value of one hundred Shillings Sterling, except onely to the Scribe, to haue for writing of the Probate of the Testament of him deceased &c. five pence, And for the Commission of Administration of the goods of any man deceased intestate, not being aboue the like value of C. s. clere, five pence. And neuerthelesse the said Bishop, Ordinarie, or other person, shall not refuse to approue any such Testament, being lawfully tendered to him to be approued, whereof the goods of the Testator or person so dying amount not aboue the value of an C. s. so that the said Testament be exhibited to him in writing, with waie thereunto assigned readie to be sealed, and that the same testament be lawfully proued before the same Ordinarie (before the sealing) to be the true, whole, and last Testament of the same Testator, in such forms as hath bene commonly accustomed in that behalfe.

Probate of Testaments where the goods exceed not C. s.

Commission of Administration.

2 When the goods of the Testator do amount ouer and aboue the clere value of C. s. and doe not exceede the summe of xl. l. sterling, then no Bishop, Ordinarie, nor other person or persons whatsoener he or they be, hauing authoritie to take probacion &c. of any Testament by himselfe, or any his Ministers, for the probacion, insinuation, and approbation of any Testament, or Testaments, or for the registering, sealing, writing, praying, making of Inventories, giuing of Acquittances, fines, or any other thing concerning the same, shall take, or cause to be taken of any person or persons, but onely iij. s. vi. d. & not aboue, whereof to be to the said Ordinarie, for him and his Ministers, ij. s. vi. d. and xij. d. residue to the Scribe for the registering of the same. 21. H. 8. 5.

Probate of Testaments where the goods exceed not xl. l.

3 Where the goods of the Testator do amount aboue the clere value of xl. l. sterling, then the Ordinarie by himselfe, nor any of his ministers, for the probacion of any Testament, or for the registering &c. or any thing concerning the same Probate, shall take of any person but only v. s. and not aboue, whereof to be to the said Ordinarie for him and his ministers, ij. s. vi. d. and not aboue, and ij. s. vi. d. residue to be to the Scribe for registering of the same: Or else the Scribe to be at his libertie to refuse the ij. s. vi. d. and to haue for writing of euery ten lines of the same Testament (whereof euery line to containe in length x. inches) a penny. 21. H. 8. 5.

Probate where the goods exceed xl. l.

4 And euery such Bishop, Ordinarie, or other person, hauing authoritie to take the Probacion of any Testament, their Registers, Scribes, and Ministers, shall approue, insinuat, seal, and register the said Testaments, and deliuer the same, sealed with the seale of their office, to the executor or executors, named in such Te-

Testaments shall be sealed and deliuered in time convenient.

So it is

Testaments,

Probate of Testaments, and Administration.

staments, so: the summes abovesaid, and in manner and forme aboue rehearsed, with convenient speed without any frustratorie delay. 21. H. 8. 5.

Administra-
tion.

5 If any person die intestat, or the Executors named in any such Testament, refuse to pꝛoue the said Testament, then the D:binarie, or other person or persons, having authoritie to take Probate of Testaments, shall grant the Administration of the goods of the Testator, or person deceased, to the widow of the same person, or to the next of his kin, or to both, as by the discretion of the same D:binarie shall be thought good, taking suretie of him or them to whom shall be made such Commission, so: true Administration of the goods, cattels, and debts, which he or they shall be so authorized to minister. 21. H. 8. 5.

Administra-
on where di-
uers do re-
quest it.

6 And in case where diuers persons claime the administration as next of kin, which be equall in degree of kindred to the Testator or person deceased, and where any person onely desireth the Administration as next in kin, where indeed diuers persons be in equalitie of kindred as is aforesaid: then the D:binarie shall be at his libertie to accept any one or moe making request, where diuers doe require the administration: or where but one or moe of them, and not all being in equalitie of degree doe make request, then the D:binarie shall admit the widow, and him or them onely making request, or any one of them at his pleasure, taking nothing for the same, vntlesse the goods of the person so deceased amount aboue the value of an C. s. And in case the goods of the person so deceased amount aboue the value of an C. s. and not aboue xl l. then he and his officers shall take only y. s. vi. d. and not aboue. 21. H. 8. 5.

How much
the D:binarie
shall take for
granting Ad-
ministration.

Inuentorie.

7 The Executor and Executors named by the Testator, or person so deceased, or such other person or persons, to whom such Administration shall be committed, where any person dieth intestate, or by way of intestate, taking to him or them two such persons at the least, to whom the said person so dying was indebted, or made any Legacie, and vpon their refusal or absence, two other honest persons being next of kinne to the person so dying, and in their default or absence, two other honest persons, and in their presence, and by their discretions shall make, or cause to be made, a true and perfect Inuentorie of all the goods, cattels, wares, merchandises, as well moueable as not moueable whatsoeuer, that were of the said person so deceased, and the same shall cause to be indented, whereof the one part shall be by the said Executor or Executors, Administrator or Administrators, vpon his or their othe or othes, to be taken befoze the said Bishops, D:binaries, their Officials, or Commissaries, or other persons having power to take Probate of Testaments, vpon the Holie Euangelists, to be read and true, and the same one part indented, shall present and deliuer vnto the keeping of the said Bishop, D:binarie, &c. and the other part thereof to remaine with the said Executor or Executors, Administrator or Administrators, &c. Which Inuentorie so to him tendered, no Bishop, D:binarie, &c. shall refuse to take, vpon the payne hereafter contayned. 21. H. 8. 5.

Deuise of
lands to be
sold.

8 If any person deceased, will by his Testament or last Will, any lands, tenements, or hereditaments to be sold, the money thereof coming, nor the profits of the said lands for any time to be taken, shall not be accounted as any of the goods or cattels of the said person so deceased. 21. H. 8. 5.

The testator's
seale defaced.

9 And the same D:binarie, &c. vpon the deliuerie of the seale and signe of the Testator, shall cause the same seale to be defaced, and thereupon incontinent deliuer the same seale vnto the said Executor or Executors, without claime or challenge thereunto to be made. 21. H. 8. 5.

Copies of tes-
taments or
Inuentories.

10 And in case any person or persons at any time require a Copie or Copies of the said Testament so pꝛoued, or Inuentorie so made, then the said D:binarie &c. or his ministers, shall from time to time with convenient speed without any frustra-
torie

to be delay, deliver oꝛ cause to be delivered, a true copie oꝛ copies of the same, unto the said person oꝛ persons demanding the same, taking foꝛ the search, and foꝛ the making of the copie of either of the said Testament oꝛ Inuentorie, but onely such fee, as befoꝛe is rehearsed foꝛ the registering of the said testament, oꝛ else the Scribe oꝛ Register to be at his libertie, to demand, haue, and take foꝛ euery ten lines thereof being of the proportion befoꝛe rehearsed, *1. d. 21. H. 8. 5.*

11 But where any persons, hauing authoritie to take Probate of Testaments, haue vsed to take lesse summes of money then is abouesaid, foꝛ the Probate of Testaments, oꝛ Commissions of administrations, oꝛ other cause concerning the same, they shall take such summe foꝛ the same, as they befoꝛe the making of this Act haue vsed to take, and not aboue. *1. H. 8. 5.*

Customs to take lesse money foꝛ Probates.

12 Euery Bishop, Dyonarie, Archdeacon, Chauncelor, Commissarie, Official, and other person and persons hauing authoritie to take probate of Testaments, their Registers, Scribes, Dayfers, Summoners, Apparitors, and all other their Ministers, whatsoeuer they be, that shall doe oꝛ attempt, oꝛ cause to be done oꝛ attempted, against this Act in any thing, shall forfeit foꝛ euery time so offending, to the partie grieved in that behalf, so much money as he shall take contrarie to this Act: And ouer that shall forfeit to the R. and the partie grieved *x. l.* to be recovered, by A. J. B. &c. wherein no *W. C. P. &c.* And euery of the same Bishops, and other persons which shall incur the danger of such penaltie, shall be charged onely foꝛ himselfe, and none of them shall be chargeable to the penaltie foꝛ others offences. *21. H. 8. 5.*

The loss, foꝛ taking more then due.

13 But this Act is not pꝛeiuicall to any Dyonarie, oꝛ other person, hauing authoritie to take Probate of Testaments, but euery of them shall and may conuient befoꝛe them euery person made Executor of any Testament, to the intent to pꝛoue oꝛ refuse the same, and to bying in Inuentories, and to do euery other thing concerning the same, as they might doe befoꝛe the making of this Act: so that alwaies any such Dyonarie &c. oꝛ other ministers aforesaid, shall not take foꝛ the same aboue the fees limited by this Act, ne in any wise attempt any thing contrarie to any part of the same Act. *21. H. 8. 5.*

Executors consented to pꝛoue the will, oꝛ bying in Inuentories.

14 So spirituall person oꝛ others, hauing any Benefice oꝛ other spirituall promotion within the Archdeaconrie of Richmond in Pꝛokshire, shall aske, leuie, demand, oꝛ take, after the decease of any person oꝛ persons, any portion oꝛ portions, noꝛ any other demand oꝛ duties, in the name oꝛ lieu of the same, vpon paine to incurre such penalties as be contained in the Statute of Pꝛouisoꝛs, made *25. Ed. 3.* (viz. they shall be attached by their bodies, and brought in to answer, and if they be conuict, they shall remaine in prison, without being let to baile oꝛ mainpꝛise, oꝛ otherwise delivered, untill they haue paid a fine to the King at his pleasure, and satisfaction to the partie grieved, and befoꝛe their deliverance they shall find suretie that they shall not attempt such things in time to come. And if they cannot be found, an Erigent shall be awarded against them by due Proces, and writs shall goe forth to apprehend their bodies, and in the meane time the King shall haue the profit of their benefices oꝛ other spirituall promotions.) But euery of the Kings Subiects of the said Archdeaconrie, and their Executors, and Administratoꝛs, shall be vsed foꝛ their goods and cattels, after their decease, in like maner, forme, order, and condition, as is contained in the foresaid Stat. of *21. H. 8.* Any custome, vse, composition, pꝛescription, oꝛ ordinance &c. notwithstanding. *26. H. 8. 15.*

Archdeaconry of Richmond.

Proces.

Writs of Debt, and Accompt, and all other such actions shall be brought in the Countie, and directed to the Shirifes of the Countie where the contracts

Proces. Proclamation.

ACTIONS
brought in the
Counties
where the
contracts were
Action vpon
the case.
Forcible
entry.

tracts of such action did arise: And if in Plés vpon the same writs it bee declared, that the contract thereof was made in another Countie then is contained in the original writ, then incontinently the same writ shall be abated. 6.R.2.2.

2 There shalbe like Proces in Actions vpon the case sued in the R. Bench, and common place, as in Actions of Trespasse 2 Debt. 19.H.7.9.

3 The like Proces shalbe had in euerie Action to be brought vpon the Statute of 5.R.2.7. as in a common action of Trespasse at the Common Law. And the like Proces shalbe had in euerie writ of Annuitie and Couenant to bee hereafter sued, as in an Action of Debt. 23.H.8.14.

Scales of
Proces.

4 There shall no writ concerning the Common Law, bee awarded under the little Scale. 28.E.1.6.

1 Proces in an action vpon the case brought against the procuror of an Indictment, or Appeale. S. Appeales 5. Indictment 3.

2 Proces in Attaint. S. Attaint 2.6.

3 Proces in Debt, and Detinue of cattels. S. Exigent 1.

4 Proces in an Action of Forger of false deeds. S. Forgerie 3.

5 Proces in Communi custodia. S. Wards 2.

6 What Proces shalbe awarded against a person indicted of Felonie. S. Indictment 5.

Proclamation.

Proclamati-
ons of Sum-
mons in reall
actions.

After euery Summons vpon the land in any reall action, fouretene dayes at the least before the day of the returne thereof, Proclamation of the summons shalbe made on a Sunday immediately after diuine Service and Sermon, if any Sermon there be, and if no Sermon there be, then forthwith after diuine service, at or nere to the most vsuall doore of the Church or Chappell of that Towne or parish where the land whereupon the Summons was made doth lye, & that no Proclamation so made as aforesaid, shall bee returned, together with the names of the Summoners, and if such Summons shall not bee proclaimed and returned according to the tenor and meaning of this Act, then no Graund cape to be awarded, but an Alias and Pluries Summons, as the case shall require, vntill a Summons and Proclamation shalbe duly made and returned according to the tenor and meaning of this Act. 1.El.3.

1 For Proclamations vpon Exigents and Outlawries. S. Exigent.

2 For Proclamations vpon Fines leuied. S. Fines 3.

3 Proclamation that a Recusant indicted shall yeeld his body to the Shirife. S. Recusants 13.

4 Where proclamation shalbe made in a writ of Admeasurement of pasture, or Dower. S. Admeasurement 1.

5 The Kings Auditors shal make proclamation in market townes, of the times and places of keeping their Audits. S. Audits 1.

6 Proclamation shalbe made vpon a Distresse deliuered of record in an Attaint. S. Attaint 2.

7 Proclamations shalbe made, that a Bankrupt shal yeeld his body to the commissioners. S. Bankrupts 8.14.

8 Proclamation shalbe made when a writ shalbe directed to the Bishop, to certifye Bastardie. S. Bastardie 3.

9 Three Proclamations shall be made in a writ of Communia Custodia. S. Wards 5.

10 That a Proclamation shalbe of the force of a Statute. S. 31.H.88.

Pro.

Prohibition, Consultation.

The Kings Prohibition doth not lie when any tythes, oblations, obventions, **Oblations.**
or Portuaries (where Portuaries haue bene used to be giuen) be by those **Portuaries**
names demaunded in an ecclesiasticall Court, although for the long withholding
of the same, they be esteemed at a certaine summe of money. But if a Clerke doe sell
his tythes being gathered in his barne, or elsewhere, for a certaine summe of money,
if the money be demanded before an Ecclesiasticall Judge, the Kings Prohibition shall
take place, for by the sale, spirituall things are become temporall, and tythes are tur-
ned into chattels. Art. Cleri 9. E. 1. 1.

2 If an Ecclesiasticall Judge do enioyne penance for deadly sinne, as for forni- **Penance for**
cation, aduoutrie, and such like (for the which sometime corporall punishment and **sinne.**
sometime punishment by the purse is enioyned) or for that the Churchyard is vn-
fenced, or the Church vncovered, or not conveniently decked (in which cases there
is none other punishment but by the purse) or for laying violent hands vpon a
Clerke, or for defamation, when money is not demaunded, but correction of the
offence required, or for breaking of any othe, or if the Prelat of a Church, or an
Advocate do demaund of a person a pention due to him, the Kings Prohibition
doth not lye: And in the foresaid cases the Ecclesiasticall Judge hath power to take
order, notwithstanding the Kings Prohibition to him directed. Artic. Cleri 9. E. 2.
Circumsp. & agatis 13. E. 1. For no Prohibition shall be directed out of the Chan-
cerie, but where the Bishop hath, and of right ought to haue cognisance of the
plea. 18 E. 1.

3 If a Prelat or Ecclesiasticall Judge will appoint, that one shall pay money **Money for**
for his offence, and the money is demaunded of the offendor, the Kings Prohibi- **corporall pun-**
tion doth lie, but if hee doe enioyne some corporall punishment, and they which **ishment.**
are to be punished, will vpon their owne accord redeme the same punishment
with money, which money is demaunded before the Ecclesiasticall Judge, the Kings
Prohibition doth not lye. And likewise in Excommunication and defamation,
the Ecclesiasticall Judge may correct by enioyning a corporall punishment, not-
withstanding the Kings Prohibition, the which if the offendor will redeme, by
giuing to the partie grieved money, he may, and the same may be demanded before
an Ecclesiasticall Judge, and in those cases the Kings Prohibition will not take place.
But though any cause or business (the cognisance whereof belongeth to the Eccle-
siasticall Court) shall be once determined before an Ecclesiasticall Judge, & become
a thing adiudged, and not staied by appeale, if after question be moved vpon the
same thing, betwixt the same persons before any secular Judge, and be proved by
witnesses or instruments, the former iudgement shall be no exception in the secu-
lar Court, for one cause may be sued before Ecclesiasticall Judges and secular Jud-
ges, in severall respects (as for laying violent hands vpon a Clerke.) And therefore
notwithstanding the Iudgement giuen in the Ecclesiasticall Court, the Kings
Court shall deale in that cause as it seemeth good. Articuli Cleri 9. Edward. 2. 2.
3. 4. 6.

4 If there be debate vpon the right of Tythes (which hath his originall vpon **Indicavit.**
the right of the Patronage) and the quantitie of the same Tythes doe exceed the
fourth part of the value of the Church (if the suit be commenced before a Spirituall
Judge) the Kings Prohibition (viz. a writ of Indicavit doth lye. 7. Ed. 2. 2. Which
writ of Indicavit shall not be graunted to any man, before the matter depending in
the Spirituall Court, betwixt the parties be recorded, and the Chauncelloz of
England be certified thereof by the sight of the Libell. 34. Edw. 1. De coniun-
tim feoffatis.

Prohibiton, Consultation.

Silua cedua, 5 If any Parson or Vicar doe implead any other in a Spiritual Court, for the title of wood being twentie yeares of age or above, in the name of Silua cedua, the partie sued shall haue a Prohibition, and vpon the same an Attachment. 45. Ed. 3. 3.

I shall new builded. 6 If any person doe build a new Mill in his ground, and the Parson of the same Parish doe demaund tithes thereof, the Kings Prohibition doth not lie. Arr. Cleri. 9. E. 2. 4.

Indictment in the Sherifes turne. 7 If any Clerke or lay person being indicted befoze the Shirefe in his Turne, and after by Enquest deliuered befoze the Iustices, do sue in the Spiritual Court against such Indictors, surmising that they haue defamed him, euery person feeling himselfe thereby grieved, shall haue a Prohibition in the Chauncerie vpon his case. 1. Ed. 3. 11.

Consultation 8 If any Ecclesiasticall Judges do surcease to proceed in any cause moued befoze them by force of the Kings writ of Prohibition, in any case where remedy cannot be giuen vnto the complainants in the B. Court, by any writ out of the Chauncerie, the Lord Chancelor, or the chiefe Iustice for the time being, vpon sight of the Libell of the same matter, at the request of the plaintife (if they see that the plaintife can haue no remedie out of the Chauncerie, but that the matter is determinable in the Ecclesiasticall Court) shall write vnto the Judges befoze whom the matter was first brought in question, that they shall proceed in the same cause, notwithstanding the B. Prohibition to them directed. 34. E. 1.

No prohibiti- on shall be allowed, after consultation granted. 9 Where a Consultation is once duly granted vpon a Prohibition directed to any Ecclesiasticall Judge, the same Judge may proceed in the same cause by vertue of the same Consultation, notwithstanding any other Prohibition deliuered vnto him, but the matter in the Libell of the said cause shall not be enlarged, altered, or changed. An. 50. Ed. 3. 4.

A copie of the Libell, shall be deliuered to the Judge, befoze a prohibition granted. 10 If any partie for any cause appointed in the statute provided (2. E. dw. 6. for true payment of tithes and offerings) to be sued or determined in the Kings Ecclesiasticall Court, or befoze the Ecclesiasticall Judge, doe sue for any Prohibition in any of the Kings Courts, where Prohibitions haue bene vsed to be graunted, then befoze any Prohibition shall be graunted to him, he shall bring and deliuer to the hands of some of the Iustices or Judges of the same Court where such partie demaundeth Prohibition, the verie true copie of the Libell depending in the Ecclesiasticall Court, concerning the matter wherefoze the partie demaundeth the Prohibition, subscribed or marked with the hand of the same partie, and vnder the copie of the said Libell, shall be written the suggestion wherefoze the partie so demaundeth the said Prohibition. And in case the said suggestion by two honest and sufficient witnesses at the least be not proued true in the Court where the said Prohibition shall be so graunted, within five monethes next following after the said Prohibition shall be graunted and awarded; When the partie that is hindered of his suit in the Ecclesiasticall Court by such Prohibition, shall vpon his request and suit, without delay haue a consultation graunted in that same case in the Court where the said Prohibition was graunted, and shall also recover double costs and damages against the partie that so pursueth the said Prohibition, the same to be assessed by the Court where the said Consultation shall be so graunted, for which costs and damages the partie to whom they shall be awarded, may haue an Action of Debt by B. P. J. &c. in any of the Kings Courts of Record, wherein no W. C. P. &c. 2. Ed. 6. 13. S. Tythes 27. &c. At what time a Libell is grantable by the law, it shall be graunted and deliuered to the partie without any difficultie, to the intent the partie may purchase the B. writ of Prohibition according to his case. 2. H. 5. 3.

Consultation for default of prouing the suggestion.

Prophecies.

If any person or persons doe advisedly and directly aduance, publish, and set forth by writing, printing, singing, or any other open speech, or deed, to any person or persons, any fond, phantastical, or false prophesie, vpon, or by the occasion of any Armes, fields, Beasts, Badges, or such other like things accustomed in Armes, Cognisances, or Signets, or vpon or by reason of any time, yere, or day, name, bloodshed, or warre, to the intent thereby to make any rebellion, insurrection, dissention, losse of life, or other disturbance within this realme, or other the Quenes dominions: Then euerie such person bearing thereof lawfully convicted &c. for euerie such offence shall suffer imprisonment of his bodie by the space of one yere without baile or mainprise, and shall forfeit to the Quene and J. R. to be recovered by A. J. B. P. &c. wherein no W. C. P. &c. And if any offender doe eschewes offend in any of the premises after such conviction, and be thereof lawfully convicted, then he shall for his second offence and conviction, suffer imprisonment without baile or mainprise during his life, and also forfeit to the Qu. and J. &c. all his goods and cattels, reals and personals. But no person shall be impeached of any offence committed contrarie to this Act, vntil he be thereof impeached or accused within vi. moneths next ensuing such offence by him done. 5. Eliz. 15. S. Iust. of peace 24.

Protections.

If the Kings Maestie doe by his Prerogative, graunt to any persons which be bound to his grace for any manner of debt, Protections that they shall not be impleaded, for any debts which they owe to others, vntill they haue made satisfaction to him, for that which is due vnto him: Yet notwithstanding euerie man which hath cause of action against such debtors, shall be answered in the R. Court by the said debtors, and if the plaintife or demaundant haue Iudgement giuen for him, the execution of the Iudgement shall be suspended, vntill the R. be satisfied of his debt. And if the Creditors will take vpon them to answer the R. debt, they shall be thereunto receiued, and moeouer shall haue execution against the debtors of the debt due vnto them, and also shall recover against them so much as they pay to the R. for them. 25. Ed. 3. 19.

By the kings protection the parties suit shall not be hindered but his execution.

2 No Protection with the clause (Volumus) shall be allowed before any Iudge, for victuals taken or bought vpon the voyage, or seruice, wherof the protection maketh mention: Nor yet in pleas of trespassse, or of other contractions made or committed after the date of the same protection. 1. R. 2. 8.

Proteccio cum clausula Volumus.

3 No protection with the clause (Quia profecturus) shall be allowed in any place wherof the suit is commenced before the date of the said protection (except it be in a voyage royall, or in the Kings messages for the affaires of the Realme.) But they which be impleaded shall make their Attorneys to answer for them in such pleas, or take themselves if they will. But the Protection (Quia moratur) shall be allowed in all cases, as it hath bin. 13. R. 2. 16.

Protection; Quia profecturus.

4 If any tarie in the Countrey without going to the seruice, for the which he is retained, more than a convenient time after hee hath his Protection, or doe remaine from the same seruice, and the Chaunceloz of England be thereof informed, he shall replea his Protection. 13. R. 2. 16. And if one doe cast a Protection of the Kings seruice, and his aduersarie will challenge the Protection, and immediately when it is helued forth, will auerre that his Aduersarie was within the fourre seas, and forth of the Kings seruice, so that he might haue come, the challenge shall

Causes of repleaing a protection.

Purveyors, Takers.

shall be entred of record, and the matter shall remaine without day according to the nature of the Protection. And when the partie shall be ressumoned and come into the Court, and demand judgement, and hearing of the proces, and offer to answer his challenge if his adversarie will attend, if the enquest passe against him which cast the protection, it shall turne him to a default if he be tenant, and if he be demandant, he shall lose his writ and be amerced. 33. Edw. 1. Statut. de Protectionibus.

Protection for the County of Chester. No writ of course in the nature of a Protection shall be granted within the Countie Palantine of Chester, upon the suggestion of any person indebted to any other comming to the Exchequer in the said Countie Palantine, and there taking a coropozall othe, that he shall pay his creditors as he shall be able (as in times past it hath bene used) without a speciall warrant from the king, his heires or successors containing such protection. 34. H. 8. 13.

Purveyors, Takers.

No subject Chatoz shall take any thing against the owners consent.

If any Chatoz, or other officer of any Lord or other person, doe presume to take, or else doe take any victuals, corne, hay, carriages, or any other thing of any of the kings liege people, in any maner against their wills, without making a lawfull bargain betwixt the said Chatoz or Officer, and the said person (except it be for the king and his house) then if notice or request be made to the Mayor, Shirefe, Bailife, Constable, or other of the kings Officers of the Cities, Boroughs, Counties, or places where such taking shall be, the said Mayor, Officer, &c. shall immediately take and arrest all such Chatozs and Officers so offending, and send them to the kings next prison, there to remaine without baile or mainprise, untill they have delivered all the things so taken, or the very value thereof. And if the said Mayor, Officers, &c. doe the contrarie, they shall forfeit twenty pounds, whereof the king shall have the one halfe, and the partie from whom the things were taken the other, if he will sue by A. of debt, wherein no W. &c. and if he will not sue, whosoever will, shall have the suit to recover the one moiety for the king, and the other for himselfe. And if any of the said Chatozs (other than the kings) be duely convicted of such unlawfull taking, then they shall yield to the partie who so sueth, the treble value of the things so taken, and the double costs of their suits, and also shall make fine to the king. And in all those actions no W. &c. 23. H. 6. 14. It seemeth by some statutes, that if any mans Chatoz or servant, other than the King, doe take any thing of any man, but of him which will willingly sell it, as he can agree with the seller, or doe not pay for it presently according to the agreement, it is felonie in the same Chatoz. 36. Ed. 3. 6. 7. R. 2. 8. S. 4.

Felonie.

No spirituall persons goods shalbe taken.

No Shirefe, or other Officer of the kings, nor any other person, shall by commission under the great seale, or privie seale, or without commission, take or carie away any maner of corne, harte, victuals, horse, bullocks, carts, boats, ships, or any goods of any Archbishops, Bishops, Prelats, Parsons, Vicars, or of any other of the Clergie under the colour of buying, or by any other meane, within their manors, houses, granges, nor in other places within the site of the Church, or in market townes, or any other places against the wills of them whose the goods be, or of them in whose possession they then doe remaine. Neither shall the said Prelats or Clergie be charged to receive into their houses any hostages, or sojourners of Scotland, or other foraine Region: nor the horses, dogges, falcons, or other hawkes of the kings, or any other persons against their wills. Saving they which of auncient right doe owe to his Grace that service, to keepe his horses, hawkes, dogs, &c. 3. Ed. 1. 1. 10. Ed. 2. 14. Ed. 3. 1. And if any of the kings purveyors, or takers doe the contrarie, the Prelats and Clerkes shall have their action of trespassse against

against them, and reconer their treble dammagess. 1. R. 2. 3. And in al commissions to be made for the prouiso of the Kings house, the fees of the Church in euery place shalbe ercepted. 18. Ed. 3. 4.

3 Purueyors for the Kings house shall pay or agree for the prizes that they shall make in the countrey of meate, drinke, and other necessarie things for the same house, with them of whom the things bee taken, and they shall haue their warrant or commission with them (sealed with the Kings great seal. 36. Ed. 3. 2.) containing their authoritie, and the things whereof they shall make prizes, or purueyance, the which warrant they shall shew to them of whom they make their prizes before they doe take any thing. And if any purueyor of the Kings house by reason of his warrant doth make prizes in other sort than is afoze limited, if upon complaint made to the Treasorer and Steward of the Kings house, and by enquire, he bee thereof attainted, he shall agree with the plaintife immediately, and be put out of the Kings seruice for ever, and remaine in prison at the Kings pleasure. Stat. de prisilis, 28. Ed. 1. 2.

Purueyors shall agree for things taken.

Purueyors shall shew their commission.

Purueyance without warrant.

Felonie.

Purueyances by the owners good will.

Purueyances for a castle.

Withholding of money due for prizes.

Taking of timber about a house.

Taking of sheepe.

4 If any make Purueyances or prizes without warrant, and do carry them away against the will of the owner, hee shall be arrested by the towne where the prizes were made, and carried to the next gaole, and if he be thereof attainted, he shalbe punished as a felon, if the value of the goods doe so require. 28. Ed. 1. 2. S. 20. Rich. 2. 5.

5 All purueyances which shall be made for the Kings house where he doth abide and passe through the countrey, shall be made by warrant and power giuen to them which shall make the purueyance, in which warrant it shall be contained, that they shall buy nothing but by agreement betweene the buyer and the seller, and by the good will of the sellers: & if any by colour of his commission take any thing against this ordinance, none shall be bound to obey him any more, than if he had no commission. 14. Ed. 3. 19.

6 So Constable or his Bailife, shall take cozne or castell of any man for to victuall his castle, if the man bee not of the towne where the castle is, but hee shall forthwith pay for the same (except the seller will respite the payment.) And if he be of the same towne, the price of the Cozne and Cattell shall be paid vnto him within fourtie daies (except it bee an auncient price due to the King, the Castle, or the Lord of the Castle.) Magna Charta. 9. H. 3. 19. Westm 1. 3. Ed. 1. 7.

7 If any take cozne or victuall to the Kings vse upon credit, or to the garrison of a Castle, or otherwise, and when they haue received their payment in the Exchequer, wardrobe or elsewhere, do withhold it from their Creditors, if they haue any lands or tenements, it shall be leuied of their lands and goods, and paid to their Creditors, with the damage they haue sustained, and also they shall pay a fine to the King for the trespass, and if they haue no lands, they shall bee imprisoned at the Kings pleasure. 7. Ed. 1. 31.

8 If any taker of Wood or Timber to the Kings vse, for worke or any other thing doe cause to be cut or felled downe, any mans trees growing about or within his house, hee shall pay to the partie his treble dammagess, bee one yeare imprisoned, and loose his Office. 25. Edw. tertij 6. But by the Statute of Mag. Charta. 9. Henrici tertij 21. no wood shall be taken for the King without the owners consent.

9 So Purueyor of the Kings shall take any more sheepe before sheare time, but so many as may reasonably suffice untill sheare time, and after that time they shall take as many shorne sheepe, and not other, as may reasonably suffice for the time to come. And if any Taker, Purueyor, or Buyer, take any sheepe with their wool betwixt Easter and the feast of S. John Baptist, punish them at a small

Purueyors.

**Felonic.
Quere.**

price, and send them to his house to be shorne to his owne profit, and thereof be attainted at the suit of the King, or the partie, he shalbe used as a thiefe, or a robber. 25. Ed. 3. 15.

**Purueyance
for the kings
horses.**

10 All Purueyances that shall be made for the Kings great Horses, so long as they doe sojourne in any Countrey, shall be made by the Sherifes of the Counties where such horses doe sojourne, and not by any other, and the purueyances made by the Sherife in this case, shall be deliuered to the Keepers of the Horses, by Indenture. 14. Ed. 3. 4. But no Commission shall be made to any, but onely a Commandement to the Sherife, that he make purueyance of the issues of his Bailiwicke: And the number of the Horses for the which he shall make purueyance, shalbe contained in the Commandement, and no purueyance shalbe made aboue that number: Sauing that the chiefe Keeper shall haue a Hackney, and for every Horse shall be allowed one seruant, without hynging women, pages, or dogs with them: And if there be any moze found there remaining to charge the Countrey, they shall be sent to prison, untill the Kings pleasure be knowne. And in like manner, purueyances shall be made for the Kings Dogs, when as he sendeth them into the Countrey, and if any man be grieved against the forme aforesaid, he shall haue his remedie against the Sherife. 14. Ed. 3. 16.

**Purueyance
for the kings
dogs.**

**Purueyance
for the kings
warhorse.**

11 Takers of prizes in faires, good towne, and in Ports, for the Kings warhorse, shall haue their common warrant vnder the Seale, and the things that they shall take, shall be testified vnder the Seale of the Keeper of the Warhorse. Of the number of the things taken, the value, and the quantitie, there shall be an Indenture made betwene the takers and the keepers of faires, maiors and bailiffs of those Townes and Ports where such goods be taken, by the view of those Marchants whose goods be taken, and they shal take no moze than is contained in their Indenture, which Indenture shall be sent into the Warhorse vnder the Seale of the keepers of the faire, Shal, or chiefe Bailiffe, there to remaine untill the account of the Warhorse be giuen to the King. And if any be found that he hath taken otherwise than he ought to doe, vpon his account, he shall be punished by the keepers of the Warhorse, according to his defaults. And if any make such prizes without warrant, he shall be punished as a felon, if the value of the goods do require it. But the kings right of auncient prizes due and accustomed of Wines and other goods shall be saved. 28. Ed. 1. 2.

Felonic.

**No victuals
shall be taken
of carriages**

12 If any Letters patents at any time shall be graunted to any Hostlers, Brewers, or other Victualers keeping hosteries, or houses of retailing of Victuals, to take Horses and Carts for the kings carriage, the same patents shall be void. 28. H. 6. 2.

**Taking money
to spare
any mans
horse, or cart,
or taking
without an
officers de-
uocie.**

13 If any person doe take any Horse or Cart, without agreeing with the owner for the same, and by the deliuerance of the Shal, Sherife, Bailiffes, or Constable, where such taking is, or do take any money of any person for to deliuer unto him his Horse or Cart, which he hath taken, or doe take any fine of any of the people to shew them fauour, and not to take their Horses or Carts, then he or they from whom such Horse or Cart, or of whom such fines or payments be taken, shall haue an Action of Trespas at the Common Law for such takings, and shal recover against the offender treble damages. Sauing to the King his prerogative and preeminence of and in the premises. 28. H. 6. 2. 3. Ed. 1. 31. But no demerit Cart of any Spirituall person, Knight, or other Lord, shall be taken by the Kings Bailiffes. Magna Carta 21. 9. H. 3. 21.

**Receiuing re-
ward to
bribe and
other.**

14 No Buyer or Purueyor of Victuals, or Takers of carriages, shal receive of any one or other any gift, or other good turne to spare him, nor shall charge or grieve any man by reason of such takings, buyings, and carriages for hatred, enuie, euill will or procurement: And if he doe, and thereof be attainted at the parties suit, he shall

shall pay to the partie his treble damages, have two yerres imprisonment, be punished at the Kings pleasure, and forswears the Court: And if the partie will not sue, he that will sue for the King, shall have the third peny of that which shall be recovered, for his pains, and neuertheless the Purveyor shall receive the foresaid punishment: 3 Ed. 3. 3.

15 Certaine Parveyors, or other honest and discreet men shalbe assigned by the Kings Treasurer to make purveyances of flesch, fysh, and other victuals for the Kings warres, and for to victual castles and townes in England, or elswhere, without Commission, and without the Kings authoritie, or any other: So that no man shal be enforced to sell any thing against his will: 4 Ed. 3. 19.

Purveyance for Ships and Castles.

16 All Waters and Purveyors shall take all Coine, Hay, Litter, and other victual and goods of the Kings people by measure stricken, according as is used through the Realm, and shal not measure them by heape, nor otherwise take excessive measure, and shall make present payment for the carriage thereof. And no man is bound to deliver for the Quarter but eight Bushells stricken: 4 Ed. 3. 3. 6. E. 3. 2. 1. 11. 14.

By what measure Purveyors shall take.

17 And if any of the Kings Purveyors, or other persons, doe buy or take any Coine in other sort, or by other measure, but eight Bushells stricken for the Quarter, and thereof is attained, he shall be one yeare imprisoned, pay to the King one Hundred shillings, to the partie grieved as much for every time that he is thereof attained: And the partie that will sue, may have his action upon the case, and as well the partie grieved, as every one of the Kings liege people, which will sue for the King, may maintaine the suit in this case at his pleasure: And nothing shall be taken for measuring of the said Coine: 1 Hen. 5. 16. 11 Hen. 6. 8. S. Iustices of Peace 59.

18 The Coine, Catfell, and other victual, and things which shall be taken for the Kings house, shall be taken in such place where most plentie is, and in convenient time, and no more then is needfull for that season: And if the Purveyor or buyer cannot well agree with the seller, for that which he shall need, then the same shalbe praised at the very value, by the Constables, and four honest men of the Townes where such taking is, thereunto sworn, and the payers shall not be constrained by menace, threats, vires, or other villanie, to set any price, other then their othes doe require, but as such things doe commonly go in the next Markets. And Indentures of Tayles shalbe presently made betwixt the Purveyors, and those from whom the goods be taken, in the presence of the said Constables, and four Purveyors, containing the quantite of their takings, the price, and of what persons, and they shall be sealed with the Purveyors scales, by which Indentures or Tayles, satisfaction shall be made to them from whom such goods be taken: And if any Taker or Purveyor doe make his provision in any other manner then by four discreet men of the Towne, or doe not deliver Tayles or Indentures with his scale, as is before sayd, he shall be instantenly arrested by the Towne where such purveyance was made, and brought to the next Gaole, and if he be thereof attained, he shall be punished as a felon, if the quantite of the goods doe require: 4 Ed. 3. 19. 6. E. 3. 17. 11. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100.

Appraisement of things purveyed.

Bar consider the foresaid Statutes diligently, whether the Appraisement shall be made by the Lords of the Townes, or their Bailifes, or by the Constable and 4 men of the Townes, and whether there shall be Indentures delivered of Tayles, and also whether the said Indentures or Tayles shal be made between the Purveyors and four Praisers, or between the Purveyors and owners, or for their own use: And the foresaid Statutes doe somewhat differ: 5 Hen. 6. 11.

Quere.

19 Commissions shall be directed unto two wise and credible men of every Countie, and to a third man of the same Countie, that they shal, or two of them shal enquire of the behaviour of the Kings purveyors and buyers, and how much they

Commissions to enquire of Purveyors behaviour.

Purveyors.

purveyors of victuals and great horses have taken and bought, and how much carriage they have taken of every billage, or single person, and to hear and determine as well at the things suit, as at any other mans which shall find himselfe grieved, the contempt, outrageous dealings, and trespasses committed by them in this matter. And that the said Justices or Commissioners may be duly informed of the foresaid things, the Secretary, Treasurer, and Comptroller of the Kings house shall assemble together and call before them, all the Clerkes and other Officers of the same house, and bring the receipt of the parcels purveyed in the Countrey, & spent in the said house every quarter, or halfe yeare, shall certifie into the Chancery the parcels taken in every billage, and of every person: which certifiat the Chancery shall send downe to the foresaid Justices or Commissioners, and if it be found at the h. or the parties suit in the countrey by evidence of the Indictors, or in other manner, that the purveyors have taken more than they have delivered to the h. house, and that they have not paid for that which they have taken, it is felony, and they shall be punished as felons. 36. Ed. 3. 4.

Felony.
Purveyors
in other man-
ner then is
comprised in
his commissi-
on.

19. If any taker or buyer, after commission, to him directed, doth purvey or buy, or take any carriage in other manner than is comprised in his Commission, it is felony. 36. Ed. 3. 1.

Purveyors oath.
The name of
Purveyors
changed.
Residence of
the Purvey-
ors offending.

20. Every purveyor and buyer for the h. before he hath his Commission, shall be sworn in the Chancery, that he shall take nothing of the Kings people, contrarie to the foresaid statute made 36. Ed. 3. against the disorder of purveyors: In which statute amongst other things it is ordained, that the heinous name of purveyors shall be changed, and that they shall be called buyers, and that there shall be as few of them as may be. 23. H. 6. 1. 2.

21. The Justices, and all the Justices assyning (if need be) are bound to do their endeavour, to resist the buyers and purveyors doing contrarie to the said statute made 36. Ed. 3. and as much as in them is to execute the same statute upon the purveyors, if they be required, and he which is grieved with the taking of his goods, contrarie to the said statute, may chose to have his action of debt against the said purveyors, or one or two of them, and every of them which doe not their endeavour in resistance of the said purveyors or buyers, in forme aforesaid, when they be required, or else against the said purveyors, and every of them, to recover treble value of the goods so taken, and also his treble costs and damages. And if any purveyor, or other of the Kings Officers doe trouble in the Marches, or elsewhere any of the Kings liege people, by any suggestion, or cause taken against them, because of the execution of the foresaid ordinances made 36. Edw. 3. he shall forfeit to the partie grieved twenty pounds, beside his damages and costs thereby sustained: And the partie shall have thereupon an action of debt. And every issue triable in this action shall be tried in the Countie where the goods were taken, and the defendants in all the foresaid cases shall answer without burching, and no W. et. C. D. nor aid of the King shall be allowed to them. And the Sergeant of the Countie, shall satisfy all the damages, debts, and executions which shall be recovered against any purveyor under him in all the foresaid cases. And if the purveyor be not sufficient to make satisfaction, the plaintife shall have a Scire facias against the said Serjeant to have execution. 21. H. 6. 1.

Sergeant of the Countie.

**Ready pay-
ment.**

22. A Purveyor or Buyer, shall make any purveyance for the Kings house of any thing to the value of forty shillings or under, except he make ready payment in hand, upon paine to lose his Office, and to pay the value to the partie grieved. 7. H. 4. 14. And in case any Purveyor, buyer, or taker, shall take or buy any thing to the value of forty shillings, or under, of any person, and make not ready payment in hand, then it is lawful to every of the Kings liege people to detain their goods and castles, and to resist such purveyors and buyers, and in no case to suffer them

them to make any Purveyance. And every Constable, Tithingman, or chiefe pledge of every Towne or Hamlet, where such purveyance shall be made, shall be assisting to the possessor or seller of such things, to be taken against the forme aforesaid, to make resistance in forme aforesaid, in case they be required so to doe, upon paine to yield to the partie grieved the value of the things so taken, with his double damages, and none of the Kings people shall be put to any losse or damage by the King or any of his officers for such resistance. And none of the Kings officers shall cause any of the Kings people to be arrested, beryed, or impleaded in the Court of the Marshalsey, or elsewhere, for such retaining or not sufferance, upon paine to forfeit 100. l. to the King and 50. l. And in every Action commenced upon this statute, the defendant shall answer without aid of the King, and in such action process shall be made, as in a writ of Trespass done against the peace. 20. H. 6. 8. S. I. of Peace 58.

23 Purveyors assigned by the kings commission for provision for his Grace, shall and may purchase all victuals, coine, and other kind of things whatsoever it be, as well within liberties and franchises as without: Any graunts, allowance, or other thing to the contrary, or let thereof notwithstanding. But such purveyors shall observe the statutes for them provided in every behalf. 27. H. 8. 24.

Purveyors may take within liberties.

24 No Purveyor or other person whatsoever, shall by vertue of any commission or otherwise, take any Herrings or Sea Fish from any the Duchies subjects, that shall like the same in the ships or other vessels of the said subjects, otherwise than by agreement of the owners or sellers of the said fish, upon paine to forfeit the double value of the Herrings or fish so taken. And it is lawfull for any person being owner or seller of any fish so taken, to withstand any person that wil (by colour of purveying or otherwise) detain any such fish, or the toll of any such fish, without the good will of the owner or seller: Provided that the fish called composition fish, heretofore graunted to the Duchie by the subjects of this Realme traveling in, to Ireland, shall be taken by her Majesties officers and purveyors, in such sort as the same hath bene lawfully used to be taken before the making of this Act. And saving to the Duchie her heires and successors, and to all other persons, such fishes as be knowne and used to be called Regall fishes, whereunto her Majestie or the said other persons have, or shall have right or interest for such recompence as heretofore have bin accustomed. 5. El. 5. 1. Jac. 25. To continue to the end of the first Session of the next Parliament.

Taking of fish.

Composition or regall fish.

25 Every Commission that shall be made, graunted, and directed to any person or persons, whereby he or they, or his or their deputies shall have authoritie to take any Horses, Muttons, Lambes, Calves, or any kind of salt fish, or any kind or kinds of grain, or butter in barrels, or other vessels, cheese, bacon, conies, pigges, geese, capons, or hennes, shall not continue above sixe moneths at the farthest, next ensuing the date of any the said commissions, and after the end of the said sixe moneths, every of the said commissions shall be void, whatsoever words, matter, or sentences be contained in any of them. 2. & 3. P. & M. 6.

How long commissions for the taking of victuals shall endure.

26 In every such Commission shall be plainly aswell expressed such Countie or Counties, as any of the said beeves, weathers, lambs, calves, hoggs, or swine, or any kind of salt fish, or any kind or kinds of graine, butter, cheese, bacon, conies, pigges, geese, capons, or hens, or any of them, is to be purveyed or taken in by any of the persons or their deputies so authorized by the said commission, as also the full portion and number of all such beeves, weathers, lambs, &c. or any of them, as any of the said persons or their deputies shall be by force of the said commission authorized to take or purvey within any of the said Counties. 2. & 3. P. & M. 6.

In commissions the countie where, and the quantitie of the things to be taken, shalbe expressed.

27 To every such commission shall be annexed so many blankes in parchment, as there shalbe severall Counties named within the said commission, in the which

Blankes annexed to commissions.

Purveyors.

blankes shall be faire and legibly wrytten all and everie such Béenes, Wethers, Lambs, Calves, Swine, any kind of salt fish, or any kind of grain, Butter, Cheese, Bacon, Conies, Pigs, Gese, Capons, & Hens, with the true and severall prices of everie of them, as shall be purveyed and gathered by any person or his deputies, thereunto authorized by any such commission, within any particular towne, parish, or hamlet, being within any those Counties as shall be expressed within the said commission, whereunto shall be subscribed the name or signe mannel of every such high constable, petit Constable, or Headborough, as shall be by any precept to him directed by any person, or any of his deputies authorized thereunto by such commission, prync or knowledging to the deliverie of the said béenes, or other things aforesaid, or any of them. 2. & 3. P. & M. 6.

The high
Constables
hand set to
every blank

Dockettes deli-
vered to the
high Constables.

28 Every person or his deputy which shall be by commission authorized to take any Béenes, Wethers, Lambs, Calves, Swine, salt fish, or any kind of Graine, Butter in barrells, or other vessels, Cheese, Bacon, Conies, Pigs, Gese, Capons, and Hennes, or any of them, shall make a Docket or Brieif in wrytting, subscribed with his name, containing all and every such Béenes, Wethers, and other things aforesaid, as he shall by vertue of the said Commission take within any particular Towne, Parish, or Hamlet, in any such Countie or Counties, as shall be expressed within the said commission, and the same docket or brieif faire and legibly wrytten and subscribed, shall well and truly deliver to the said high Constable, petit Constable, or Headborough, at such present time, as the said béenes, or other things aforesaid shall be delivered to any of them, upon paines of one yeares imprisonment, and to forfeit a Hundred Markes to the Quene and J. to be recovered by A. J. &c. wherein no W. &c. E. P. &c. as oft as he shall offend. All which Dockets or Brieifes, the said high Constable, petit Constable, or Headborough shall deliver over to the Justices of Peace at the next generall Sessions holden within any of the said Counties. And the same Justices, or two of them, may and shall from time to time certifie the whole number and content of all and every of the said dockets and Brieifes to the Lord Steward of the Quenes household, or to the Treasurer or controller of the same, or any of them, or to the Treasurer or Controller of the Quens Shippes, if provision of any the things before mentioned be taken for the victualling of the Flaue, or any of the Quenes Shippes, whereby the true serving of any of the aforesaid commissions, and true answering of the same shall fully appeare. 2. & 3. P. & M. 6.

If former sta-
tutes provided
for purveyors
must be obser-
ved.

29 It shall not be lawfull to any person, or his deputy, authorized by such commission, to lewie, take, or purvey any Béenes, Wethers, Lambs, Calves, any kind of salt fish, graine, butter in vessels, cheese, bacon, conies, pigges, gese, capons, and hens, or any of them, in any other sort then is expressed in severall statutes heretofore made for purveyors, upon such paine and paines, as in the said severall statutes is contained. 2. & 3. P. & M. 6.

Statutes pro-
vided for pu-
rveyors shall
extend to their
Deputies.

30 All and every such lawes, statutes, and provisions as heretofore have bene made against Purveyors, and all and every of the paines, penalties, forfeitures, and losses, appointed in any of the same lawes and statutes against Purveyors and Takers, shall also be extended and executed upon every of their undertakers, deputies, and servants and all other which by colour shall take any victuall, or any other thing by force of any such commission from any the Quens Subiects, contrary to the tenor and effect of any of the said lawes or statutes, in like manner to all intents, as the same should or ought to be extended against Purveyors and Takers themselves, and as strongly as if the said undertakers, deputies, and servants were specially and particularly named in every of the said statutes. 2. & 3. Phil. & Mar. 6.

31 Every Commission that shall be made and graunted unto any Purveyor, shall

shall be written in the English tongue, and not otherwise. 2. & 3. Phil. & Ma. 6.

32 So Purveyors, Taker, Wager, Wader, Poulter, or other Spinner for; the Quene her heires or successors, nor any other common Poulter, shall take, or bargain for; any kinde of victuall or graine in any of the Parkets or Townes of Cambridge, or the Citie of Oxford, or either of them, nor within the compass of five miles the counts adjoining, without the consent, agreement, good will, and licence of either of the Chancellors, or Vicechancellors, in writing obtained by order the seal of the office of the said Chancellor or Vicechancellor of either of the said Universities, & in no other forme then in the said licence shall be expressed: So as the same give not to any of the said Purveyors, or others, any further authority than they have, or may lawfully be in other parts of the same Countrey, being without the said limits of five miles: Neither shall attempt to carry, take away, or bargain for; any graine or other victuall bought and provided within the said space of five miles, by any common Spinner of any Colledge, Hostel, or Hall, to be spent within any of the same Colledges, Hostels, or Halls, without like licence, and in no other forme then is next before mentioned, upon paine of forfeiture of the quadruple value of any such graine or victuall so taken or bargained for, in any of the said Parkets, or within the space of five miles, or attempted to be taken, carried away, or bargained for, being provided to be spent in any of the said Colledges, Hostels or Halls: The one halfe of which forfeiture shall be to the common Treasurer of either the said Universities, respectively to the fault committed against this their privilege, the other to the partie that wil sue for the same by A. J. &c. in any Court of record, or before the foresaid Chancellor, or his Vicechancellor, or Commissaries, and two Justices of the Peace, of the Countie where the said University is set: And further shall suffer imprisonment for the space of three moneths, without baile or mainprise. 2. & 3. P. & M. 15. 13. El. 2. 1. S. Inst. of P. 60.

Commissions written in the English.
Purveyance within Cambridge, or Oxford, or five miles thereof.

33 If any person within the said precinct of five miles, shall refuse reasonably to serve the necessarie provision of the said Universities, according to the true meaning of this act, then it shall be lawfull to any of the D. Takers or Purveyors, to provide any Come or victuall of any such person, within any part of the precinct aforesaid, to the use of the D. as shall be declared to the said Takers to be persons not worthy of the said privilege (so) not reasonable serving the necessities of the said Universities, by the Chancellor or Vicechancellor of either of the said Universities, with the consent of two Justices of Peace resident within either of the said Universities) Citie, Towne or Countie, under their hands and seales, as the said Purveyors lawfully may in any other place without the said precinct of five miles, and not otherwise. 13. El. 21.

Purveyors may take of them which refuse to serve the Universities.

34 But this act shall not be put in execution at any time, whensoever the Quene her heires or successors shall come to any of both the said Universities, or within five miles of either of them, but shall be in suspence during that time onely, and no longer. 13. El. 21.

The act suspended during the Quene's continuance within seven miles.
The liberties of Oxford and Cambridge reserved.

35 This Act shall not be prejudiciall to the Mayor, Bailles, and Communitie of the Citie of Oxford: Nor to the Mayor or Communitie of the Towne of Cambridge, or to their successors, concerning any of their liberties or privileges. But euerie of them and their successors respectively may have and use the same in such manner, as they ought to have done before the making of this Act. 2. & 3. P. & M. 15. 13. El. 2. 1. Jac. 25. to continue in force untill the end of the first Session of the next Parliament.

1 No Purveyor of Timber, shall sell any Timber to the Kings use, but onely in barking time. S. Leach. 14. 15. 16.

2 The Statute provided for the preservation of Woods, shall not extend to Woods

Quare imp. Quod permit. Quod ei deforc. Rape.

Woods purveyed by the Q. Commission. S. Woods 17.

3 Concerning Purveyors for Cities and Corporat Townes. S. Badger 4.

Quare impedit.

Process in
Quare impe-
dit.

If assizes of Darreine presentment, and in the plea of Quare impedit, of Churches being void, daies shall be given from 15. daies to 15. daies, or from 3. weekes to 3. weekes, as the place shalbe more or farre off. And in the plea of Quare impedit, if the disturber doe not come at the first day wherunto he is summoned, nor to cast an Excoine, then he shall be attached against another day, in which if he come not, nor cannot cast an Excoine, he shall be distrained by the ground distresse, and if he doe not then appeare, by his default the bishop of the same place shall be written into, that the disturbers deniall at this time nothing hinder the plaintife, saving the disturbers right another time when he will sue. The same law as to the making of Attachments, shall be observed in all writs where attachments lie, as in making distresses, so that the second attachment shall be made by better pledges, and at the least a distresse. Marleb. 5. 2. H. 3. 12. S. Auowson, Incumbent, Lapse, Assise 12.

Quod permittat.

Luris vtrutn.

Even as the Parson of a Church may recover common of pasture by writ of Nouel disseisin, so shall his successor recover against the disseisor or his heirs, by a writ of Quod permittat. And as there is a writ grantable to enquire, whether a tenement be the free almes of such a Church, or the lay fee of such a man: So the like writ may be awarded to enquire whether it be free almes of such a Church, or of another Church, in case where the free almes of one Church is transferred into the possession of another Church. West. 2. 13. Ed. 1. 23.

Quod ei deforciat.

If lands be recovered by default against tenant in dower, tenant in frankmarriage, tenant by the Curtesie of England, tenant to term of life, or tenant in taile, in which cases the reversion is saved: Their default shall not be so prejudiciall to them, but they may recover their estate, if they haue right, by another writ then a writ of Right, viz. by a writ of Quod ei deforceat. And also they may vouch to warrant him in the reversion. West. 2. 13. Ed. 1. 4.

Rape.

If any man doe ravish a married wife, a maide, or other woman, where she doth not assent before nor after, it is Felonie. And in like sort if a man doe ravish a married wife, maide, or other woman with force, though she do consent after, it is Felonie. West. 1. 13. Ed. 1. 34.

Whoring a
woman chd
under 12. yeres
of age.

2 If any person shall unlawfully, and carnally know and abuse any woman child, under the age of 12. yeres, it is felonie, and the offender thereof being duly convicted shall suffer as a felon, without allowance of Clergie. 18. Eliz. 6. S. Clergie 10.

The 103.
where the wo-
man ravished
doth consent.

3 If any Noblemans daughters, Ladies, or other women be ravished, and after the same Rape committed, doe consent to the Ravishers, as well the Ravishers as they that be ravished, and every of them shall be disabled, and be disabled ipso facto, to haue or challenge all manner of inheritance, reuer, or ioynt scotts ment

feoffment after the death of their Husbands and Ancestors. And immediately in this case the next of the blood of those ravishers, and of those which be ravished (to whom the inheritance, dower, or joint feoffment ought to descend, revert, remaine, or come after the death of the ravisher, or her that is ravished) have title incontinently after the rape, to enter upon the ravisher, or her which is ravished, their assigns, and land-tenants in that inheritance, dower, or joint feoffment, and the same to hold by estate of inheritance. And the husbands of such women (if they have husbands) or if they have no husbands living, then their fathers, or other their next kinsmen in blood, shall have the suit to prosecute, and may pursue, against the same offenders and ravishers, in this behalfe, and to convict them of Felonie, though the same woman after the Rape doe consent to the Ravishers. And in this case the Defendant shall not wage Battell, but the truth of the matter shall be tried by the country. Having shewes to the King and other Lords of the Realme, all their Escheators of such Ravishers if they be convicted. 6.R.2.6.

How the def in appeale of Rape shall be vsed. S. Coroners 7.

Receit.

If in an Action brought against the husband and the wife, of lands which be the right of the wife the husband will absent himselfe, and will not defend his wives right, or will, against his wives consent, yield the land; If the wife will come before Judgement, and be ready to answer to the demandant, and to defend her right, she shall thereunto be admitted. West. 2. 13. Ed. 1. 3.

where the wife shall be received upon the husbands default.

If any man doe purchase a tenement in dower, tenant by curtesie of England, or any other tenant for terme of life, or Tenant in tale, of Lands, where the reversion is in an other, and he doth make default, or will yield the land, the heires, or they that have the Reversion, shall be admitted to answer, if they come before Judgement. And if by default, or yielding, judgement shall be given, then the heires, or they which have the reversion, shall recover after the death of such tenants by a writ of Error ad corrigendum legem. West. 2. 13. Ed. 1. 3. But if any man being not partie to the suit, will come before Judgement in the foresaid case, and desire that he may be admitted, he shall have such sufficient sureties before his admission, as the Court shall thinke mete, to satisfy the demandant the value of the issues of the land so to be recovered, from the day that he is received to make answer, untill the day that final Judgement shall be given upon the demandants petition. And if the demandant doe recover the thing in demand, the defendant shall be grievously amerced, if he have whereof, or if he have not whereof, he shall be committed to the Chancery, and there remaine during the Chancerys pleasure. And if he can prouve his right to be such as he affirmed it at the time of his receipt, he shall goe quit. 29. Ed. 1. Defensio Juris.

where he in the reversion shall be received.

The receipt of one not partie to the suit.

If any Tenant for terme of life, Tenant in dower, Tenant by the curtesie, or Tenant in tale after possibility of issue extinct, be impleaded, and he in the reversion doth come into the Court, and prayeth to be received, to defend his right, at the day that the tenant doth plead to the Action, or before, he shall be received to plead in chiefe to the action, without taking delay by voucher, compier, nage, or other delay whatsoever, so that after such receipt, he shall have no delay by Protection, Waiver of the Kings service, or common Waiver, but the suit shall be hastened as much as it may by the Law. And waiver of grace shall be given by discretion of the Judges, betwixt the Demandant and him, which is so received, and not the Common Waiver given in Admes. of Land (except the Demandant will therewith assent) to the intent the demandant shall not be so much delayed,

Receipt of him in the reversion Waiver of grace.

delayed, which must plead with two adversaries: And he in the reuerſion which pꝛaith to be received, shall find ſureties foꝝ the iſſues of the Land, as well where the receipt is counterpleaded, as where it is graunted, vt ſupra &c. 13. R. 2. 16.

Records.

In what ca-
ſes Juſtices
may amend
Records.

The things Juſtices, befoꝛe whom any miſpꝛiſion oꝝ default ſhall bee found in any Records oꝝ Pꝛoces, which depend befoꝛe them by way of Cꝛoꝝ, Adioꝛnement, oꝝ otherwiſe, oꝝ in returns made by Sherifes, Baylives of Fraun- chises, oꝝ any other perſon, by miſpꝛiſion of the Clerks of any of the ſaid Courts, oꝝ by miſpꝛiſion of the Sherifes, Under-Sherifes, Coroners, oꝝ any other Offi- cers oꝝ Clerks, in writing of one letter oꝝ one ſyllable too much, oꝝ too little, haue power to amend ſuch default after their diſcretion; and by examination where they ſhall thinke good, as well after iudgement, as befoꝛe iudgement, and as well after iudgement giuen vpon a verdict paſſed, as vpon a matter in law plea- ded, and the ſame pꝛoces ſhall not be anoyed oꝝ diſcontinued therefoꝛe: But theſe Statutes extend not to Records and Pꝛoces in Wales, oꝝ where pꝛoces of Out- lawꝛie lieth. 14. Ed. 3. 6. 9. H. 5. 4. 4. H. 6. 3. 8. H. 6. 15. The Juſtices aliigned to take Miſes by the Kings Commiſſion in the Counties of this Realme, ſhall cauſe to be deliuered into the Kings treaſurie, all the Records of Miſes of Nouel diſciſin, of Mordaunceſter, And of Certifications, with all their appurtenances, and appendants determined befoꝛe them, euery ſecond yeare, that the plea there- of be determined, and the iudgement giuen, without moꝛe delay: And the records and Pꝛoces of pleas real and perſonall, and of Miſes of Nouel diſciſin, of Mor- daunceſter, and Certifications, and of other whereof iudgement is giuen and in- rolled, oꝝ things touching the ſame pleas, ſhall in no wiſe be amended, oꝝ impaired, by new entring of the Clerkes, oꝝ by the record, oꝝ thing certified in witneſſe; oꝝ commandement of any Juſtice in any thing, after ſuch iudgement, oꝝ ſuch pleas be giuen and entrolled. 11. H. 4. 3.

In what ca-
ſes Records
may not be
amended.

In what ca-
ſes Records
may not be
amended.

Foꝝ Cꝛoꝝ aliigned in any Records, Pꝛoces, warrant of Attourney, oꝝ originall Writ, oꝝ iudiciall panell, oꝝ returne, in any place of their raiſed oꝝ interlined, oꝝ in any addition, ſubtraction, oꝝ diminution of wordes, letters, titles, oꝝ parcell of writs, found in any ſuch Records, pꝛoces, &c. where ſuch rature, interlining, addi- tion, &c. by the diſcretion of the Judges of the Courts and places, to wherein the ſaid Records and Pꝛoces by Writ of Cꝛoꝝ, oꝝ otherwiſe be certified, do appeare ſuſpicious, no Iudgement oꝝ Record ſhall be reuerſed: And the Kings Juſtices of the Courts and places, in which any Record, Pꝛoces, Suit, Plea, Warrant of Attourney, Writ, Panell, oꝝ Returne, foꝝ the time being ſhalbe, haue power to ex- amine them, by themſelues, and their Clerkes, and to amend (in aſſurance of the Iudgement of ſuch Records and Pꝛoces) all that which in their diſcretion ſeemeth to be in miſpꝛiſion of the Clerkes, in ſuch Records, pꝛoces, &c. except appeales, Indictments of Treason and Felonie, and the Outlawꝛies thereupon; the proper names, ſurnames, and additions, omitted in Original Writs, and Writs of Cri- gent, according to the ſtat. of 11. H. 4. 3. and in other writs containing Proclama- tion, ſo that by ſuch miſpꝛiſion of the Clerke, no iudgement ſhall be reuerſed oꝝ an- nulled. 3. H. 6. 15.

Variance be-
tweene the
Record and
Certificat.

And if any Record, Pꝛoces, Writ, Warrant of Attourney, Returne, oꝝ Pan- nell, be certified before me, otherwiſe then according to the writing, which thereof remaineth in the Treaſurie, Courts, oꝝ places, from whence they be certified; the parties in aſſurance of the Iudgements of ſuch Records, and Pꝛoces, ſhall haue advantage to ſhew variance betwixt the ſame writing, and the ſaid Certificat:

And

And that found and certified, the same variance shall be by the said Judges reformed and amended according to the first writing. 8.H.6.12.

4 If any Record, or parcell of the same, Writ, Returne, Panell, Process, or Warrant of Atturney, in the courts of Chaucerie, Exchequer, the one Bench, or the other, or in the Treasorie, be willingly stolne, taken away, witholdene, or avoided by any Clerke, or other person, by cause whereof any Judgement be reversed, such stealer taken away, witholdene, and avoider, their procurors, counsellors and abettors, being thereof indicted, and by Process thereupon made thereof duly convicted by their owne confession, or by enquest to be taken by lawfull men, wherof the one halfe shalbe of the men of any Court of the same Courts, and the other halfe of other, shalbe adjudged for felons, and shall incur the paine of felonie. And the Judges of the said Courts, of the one Bench or of the other, haue power to heare and to determine such defaults befoze them, and therfoze to make due punishment as aforesaid. 8.H.6.12.S.8.R.2.4.

Indebting of Records.

5 Provided alwaies, that if any such Record, Process, Writ, or Warrant of atturney, Panell, or Returne, or parcell of the same, be now, or hereafter shall be exemplified in the Chaucerie vnder the great Seale, and such exemplification thereof Record enrolled, without any rasing in the same place, in the exemplification, & the inrolment of the same: That then for any error assigned, or to be assigned in the said Record, Process, Writ, warrant of Atturney, Panell, or Returne, in any letter, word, clause, or matter of the same varying, or contrary to the said exemplification and the inrolment, there shall be no Judgement of the said Records and proces reversed nor annulled. 8.H.6.12.

Record exemplified.

6 If any Judge or Clerke doe make any false entring of a plea, case any Roll, or change any verdict, whereby any person receiveth disheritance, and he be thereof convicted befoze the King and his Counsell, he shall be punished by fine and ranfome at the Kings pleasure, and satisfie the partie. And for the recoverye of the inheritance, the partie shall sue by writ according to the Law. 8.R.2.4.

1 No Certiorare shalbe granted to remoue a Record, except it be signed with a Iustices hand &c. S. Remouer &c. 1.

2 What imperfections in Records the Court may amend after Demurrer ioyned &c. S. Demurrer 2.3.

Recoveries, and falsifying of Recoveries.

If any of the things subiects do suffer any Recoveries against them by the course of the Common law, of any manors, lordships, lands or tenements, for the performance of their wills, or for the suerties of their wives Jointenures, for the Joineure of their sons and heires apparant, & their wives, or for any other person or persons, according to their covenants & agreements, the recoverers in all such recoveries, their heires, and all assignes, may distraine the sermons, freeholders, and tenants which hold of the same Manors, by Rents, Services, and Customes, for the said Rents, Services, and Customes, being due and unpaid, and make amowzie, or iustifie the same, as those persons against whom the said Recovery is, should haue done, if the said Recovery had not bene had, and also haue like remedie for the recovering of the said Rents, Services, and Customes, by amowzie. And also shall haue Quare impedit for an Abusowon appendant to any of the said Manors, if the same Abusowon fall void, and any disturbance be made, as those persons against whom the said Recoveries were had, might, or should haue had by the course of the common Law befoze the said Recovery, if any such Rents, Services, or Customes had bene denied them, or any such disturbance had bene had in their times. 7.H.8.4. S. Damages 8.

The recoverers may distraine the tenants of lands recovered.

Quare impedit.

Recoveries, and falsifying of Recoveries.

Recovery of
lands entailed
whereof the
reversion is
in the King.

2 No fained Recoverye had by assent of parties against any tenant in taylor, of any Lands, Tenements, or Hereditaments, whereof the reversion or remainder, at the time of such Recoverye had, shall be in the King, shall bind or conclude the heirs in taylor, whether any common voucher be had in any such fained Recoverye, or not. But after the death of everie such tenant in taylor, against whom any such Recoverye shall be had, the heirs in taylor may enter, have, and enjoy the lands, tenements, & hereditaments so recovered, according to the form of the gift of intayle: the said Recoverye, or any other thing to be had, done, or suffered, by or against any such Tenant in taylor, to the contrary notwithstanding. 34.H.8.20.

The heirs in
taylor that have
no recompence
in value.

3 The heirs of everie such tenant in taylor, against whom any such fained Recoverye shall be had, shall take no advantage, for any recompence in value against the voucher, nor his heirs. 34.H.8.20.

Leases by te-
nant in taylor
whereof the
reversion is
in the K.

4 But this act shall not be prejudiciall to the lessee or lessees, of any such tenant in taylor made by writing indented, of any lands, tenements, or hereditaments, for terme of xij. yerres, thre liues, or vnder, whereupon the accustomed rent and rents, or moze, is or shalbe reserved yearly during the same terme and termes, but the same lessee and lessees, shall and may have and enjoy his or their terme and termes therein against the heirs of everie such tenant in taylor, according to the tenor and effect of the statute made; 34.H.8. 34.H.8.20. S.Leases 1.2.

Recoveries as-
gainst parti-
cular tenants.

5 All Recoveries to be had or prosecuted by agreement of the parties, or by co-
vain against any tenants by curtilie of England, tenants in taylor after possibilitie of issue extinct, or otherwise onely for terme of life, or liues, or of estates determinable upon life, or liues, of any lands, tenements, or hereditaments, whereof the same particular tenant is, or shalbe seised of any such particular estate as is aforesaid, or against any other, with voucher over of any such particular tenant, or of any having, or that had right or title to any such particular estate or tenancie, as is aforesaid, shall as against such person or persons to whom any reversion or remainder thereof by force of any conveyance or device before that time had or made, shall, ought, or lawfully may appertaine, and against their heirs, and successors, be utterly void. 14.Eliz.8.

Recoveries
upon good
titles.

6 But this Act shall not extend to any person or persons that shall by good title recover any lands, tenements, or hereditaments, without fraud or co-
vain, by reason of any former right or title, but all and every such recoverye and recoveries, upon former rights and titles, shall stand and be in like force as they were before the making of this act. 14.Eliz.8.

Recoveries
by the assent
of him in the
reversion or
remainder.

7 All and everie such recoverye & recoveries to be had or prosecuted of any lands tenements, or hereditaments, as is aforesaid, by the assent & agreement of any person or persons, to whom any reversion or remainder thereof then shall or ought to appertaine (so that the same assent and agreement doe appeare of record in any of the Courts etc.) shall stand in like strength, and of like effect, against such person and persons that shall so assent and agree, their heirs and successors, as they were before the making of this Act. Anno 14.Eliz.8.

Tenant for
yeares may
falsifie a reco-
verie had as-
gainst him in
the reversion.

8 If any person doe make Leases of their lands, tenements, or other hereditaments, by Indentures, or without writings, to other persons for terme of yeares, if after the same lessors, their heirs or assigns, doe cause or suffer recoveries to be had against them in the Kings, or any other Lords Court, upon fained and untrue title, by craft and co-
vain, to put the said termors from the termes: all such termors, shall and may falsifie for his terme onely such recoverye, in such wise and forme, as a tenant of a freehold shall and may doe by the course of the Common law, where such tenant of freehold was neither partie nor privie to the same recoverye. And the same termors, their Executors and Assignes notwithstanding such recoverye so had, shall enjoy, retaine, and hold their said termes according to their said Leases,

ses, against all such recoverers, their heires and assignes. And the said recoverers, their heires and assignes, after such recoverie so had, shall have like remedie against the said termors, their executors and assignes, by anowrie, or action of Debt, for the rents and services reserved upon the same Leases being due after the same recoveries, And also like actions against them for waite done after the same recoveries so had, in like maner and soyme, as the said lessors should or might have had, if the same Recoveries had never been had. 21. H. 8. 15. Glouc. 6. Ed. 1. 11.

9 No Statute of the Staple, Statute Merchant, nor execution by Elegit, shall be avoided by means of any such fained recoverie, but all persons having any lands, tenements, or other hereditaments in execution, or being intituled to have execution of any lands or tenements by any such meanes, shall have like remedie to avoid and salisfie the same recoverie, as before is provided for the lessee for terme of yeeres. 21. H. 8. 15.

No statute of recognisance shall be avoided by any fained recoverie.

1 What Fines for alienation upon writs of Entry, sued upon common Recoveries, shall be paid. S. Wils 8.

2 Where a woman shall forfeit her estate, for suffering a fained recovery against her, of land which shee holdeth in Dower, for life, in taile, &c. See Women 1. 2.

3. 4.

3 For Recoveries and Deeds inrolled in Corporat Townes. S. Women 5.

4 That such things whereupon recoveries are to be suffered may be inrolled. S. Fines 2. 3. 1. &c.

5 For suffering of recoveries of lands in Wales, and the kings fine for the same. S. Wales 2. 1. 22.

Recusants.

All and everie person and persons inhabiting within this Realme, or any other the Quenes Dominions, shall diligently and faithfully, having no lawfull or reasonable excuse to be absent, endeavour themselves to resort to their Parish Church or Chappel accustomed, or upon reasonable let thereof to some usual place where Common Prayer and such service of God shall be used in such time of let by, on everie Sunday, and other daies ordained, and used to be kept as Holy dayes, and then and there to abide orderly and soberly, during the time of the Common Prayer, Preaching, or other service of God, there to be used and ministered, upon paine of punishment by the censures of the Church, and also upon paine that everie person so offending, shall forfeit for such offence xv. s. to be levied by the Churchwardens of the Parish where such offence shall be done, to the use of the poore of the same parish, of the goods, lands, and tenements of such offender by way of distress. 1. Eliz. 2. Every person above the age of xvj. yerres, which shall not repaire to some Church, Chappell, or usual place of Common Prayer, but forbear the same, contrarie to the tenor of a Statute made in the first yeare of her Maiesties raigne, for uniformitie of Common Prayer, and being thereof lawfully convicted, shall forfeit to the Quene, for everie offence which he or shee shall so forbear, twentie pounds. And over and besides the said forfeitures, everie person so forbearing by the space of twelue monethes as aforesaid, shall for his or their obstinacie (after certificat thereof in writing made into the R. Bench, by the ordinary of the Dioces, a Justice of Assise and Gaole deliverie, or a Just. of P. of the countie where such offender shall dwell or be) be bound with two sufficient sureties, in the summe of C. l. at the least, to the good behavio, and so to continue bound, untill such time as the persons so bound doe consoyme themselves, and come to the Church, according to the true meaning of the said Stat. made in the 1. yeare of the Raigne 23. El. 1. S. Br. 44.

Every person shall resort to the church.

S. Br. 50.

Recusants.

Scholmaster.

22 If any person or persons, bodies politique and corporat, shall keepe or main-
taine any Scholmaster, which shall not repaire to Church, as is aforesaid, or bee
allowed by the Bishop or Ordinarie of the Diocese where such Scholmaster
shall bee so kept, hee shall forfeit for everie Moneth so keeping him tenne pounds.
(Provided, that no such Ordinarie, or other Minister, shall take any thing for the
sayd allowance) And such Scholmaster or Teacher, presuming to teach/contrarie
to this Act, and being thereof lawfully convicted, shall bee disabled to bee a Tea-
cher of youth, and shall suffer imprisonment, without baile or maineprie, for one
yeare. 31. Eliz. 1. No person shall keepe any Schole, or bee a Scholmaster out
of any the Universities or Colledges of this Realme, except it bee in some publike
or free Grammar Schole: Or in such Noble mans, or Noble womans, or Gentle-
mans or Gentlewomans house, as are not Recusants: Or where the same schole-
master shall be specially licenced thereunto by the Archbishop, Bishop, or Guardi-
an of Spiritualities of that Diocese, upon paine that as well the Scholmaster, as
also the partie that shall retaine, or maintaine any such Scholmaster, contrarie
to the true meaning of this Act, shall forfeit each of them, for everie daie so wit-
tingly offending, xl.s. The one moitie thereof to the King, his heires and succes-
sors, the other to him or them that will sue for the same in any of the Kings Courts
of Record at Westminster, by Act of Debt, B. P. or I. wherein no C. P. M. &c.
1. Jac. 4.

**Servise in a
mans priuat
house.**

3 Everie person, which usually on the Sunday, shall have in his or her house,
the divine Service which is established by the Law in this Realme, and be thereat
himselfe, or herselfe, usually or most commonly present, and shall not obstinately re-
fuse to come to Church, and there to do as is aforesaid, And shall also foure times in
the yeare at the least be present at the divine service, in the Church of the Parish,
where he or she shall be resident, or in some other open common church, or such chap-
pell of ease, shall not incurre any paine or penaltie limited by this Act, for not re-
pairing to the Church. 23. Eliz. 1.

**To what use
the for. shall be
employed.**

4 All forfeitures of any summes of money limited by this Act, shall bee divided
in thre equall parts, whereof one third part shall be to the Quene to her own use,
one other third part to the Quene, for reliefe of the poore in the Parish where the
offence shall be committed, to bee delivered by warrant of the principall officers in
the Receipt of the Exchequer, without further warrant from her Majestie, and the
other third part to such persons as will sue for the same, in any Court of Record,
by Action, B. P. or I. in which Suit no C. P. or M. shall bee allowed. And
everie person which shall forfeit any Summes of Money by vertue of this Act,
and shall not bee able, or shall sayle to pay the same within thre Moneths after
Judgement thereof given, shall bee committed to prison, there to remaine untill he
hath paid the said summes, or conformed himselfe to go to the Church, and there doe
as is aforesaid. 23. Eliz. 1.

Imprisonment

**Covenants
conuycances
to defraud
for.**

5 Everie Grant, Conueyance, Bond, Judgement, and Execution, had, or
made, sithence the beginning of this Session of Parliament, or hereafter to bee
had, or made, of covenants purpose to defraud any interest, right, or title, that may
or ought to grow to the Quene, or to any other person by meane of any Con-
uiction, or Judgement, by vertue of this Statute, or of the Statute of 13. Eli-
zabeth. 2. shall bee, and bee Judged to bee utterly void against the Quene, and
against such as shall sue for any part of the said penalties in formes aforesaid. 23.
Eliz. 2.

**See Rome 2.
ec.**

**A guiltie per-
son conforming
himselfe.**

6 Everie person guiltie of any offence against this Statute, other then Treas-
on, and Disposition of Treason, which shall before he bee thereof indicted, or at his
arraignment, or triall before Judgement, submit and conform himselfe before the
the

the Bishop of the Dioces, where he shall be resident, or before the Justices where he shall be indicted, arraigned, or tried (having not before made like submission at any his triall, being indicted for his first like offence) shall upon his recognition of such submission in open Assises or Sessions of the Countie, where such person shall be resident, be discharged of all and everie the said offences against this Act (except Treason and Conspiracy of Treason) and of all paines and forfeitures for the same. 23. El. 1.

S. Rome 7.8.

7 Provided, that neither this Act, nor any thing therein contained, shall extend to take away or abridge the authoritie or jurisdiction of the Ecclesiasticall censure for any cause or matter, But that the Archbishops and Bishops, and other Ecclesiasticall Judges may do and proceed, as before the making of this Act, they lawfully did, or might have done: Any thing in this act to the contrarie notwithstanding. 23. El. 1.

Ecclesiasticall censure.

8 Everie Feoffment, Gift, Graunt, Conueyance, Alienation, Estate, Lease, Incumbance, and Limitation of vse, of, or out of any lands, tenements, or hereditaments whatsoever, had, or made at any time since the beginning of the Quaiesties raigne, or at any time hereafter to be had, or made, by any person which hath not repaired, or shall not repaire to some Church, Chappell, or vsuall place of Common Prayer, but hath forborne, or shall forbear the same, contrarie to the tenor of the said Statute of (Anno 23. Elizab. 1.) and which is or shall be renocable at the pleasure of such Offendor, or in any wise directly or indirectly meant, or intended, to, or for the behoofe, reliefe, or maintenance, or at the disposition of any such Offendor, or wherewith, or whereby, or in consideration wherof, such Offendor or his familie shall be maintained, relieved, or kept, shall be deemed and taken to be utterly void and frustrate, as against the Quaiesties, for, or concerning the leuying and paying of such Summes of Money, as any such person, by the Lawes or Statutes of the Realme already made, ought to pay or forfeit for not comming or repairing to any Church, Chappell, or vsuall place of Common Prayer, or for saying, hearing, or being at any Masse, and shall also be seized and had, to and for her Quaiesties vse and behoofe, as hereafter in this Act is mentioned: Any Pretence, Colour, Fained consideration, or expresse of any vse, to the contrarie notwithstanding. 29. Elizab. 6.

Certain assurances void against the Quaiesties.

9 Every conuiction hereafter for any offence before mentioned, shall be in the Court commonly called the Kings Bench, or at the Assises, or generall Gaole deliery, and not elsewhere, and shall from the Justices before whom the Records of such conuiction shall remaine, be estreated and certified into the Court of Exchequer, before the end of the Terme next ensuing after everie such conuiction, in such convenient certaintie, as the Court of Exchequer may thereupon award out proces for seizure of the lands and goods of every such Offendor as hath not payd their forfeitures, according to the Lawes and Statutes in such cases provided. 29. El. 6. S. Br. 43.

Conuictions in the Kings Bench or gaole deliery

10 Every such offendor in not repairing to divine service, but forbearing the same contrarie to the said Statute of An. 23. El. 1. as hath bene heretofore convicted of such offence, and hath not made submission, and bene comforted, according to the true meaning of the said Statute, shall without any other Indictment or conuiction, pay into the receipt of the said Exchequer, all such summes of money, as, according to the rate of xx. l. for every moneth since the same conuiction, doe yet remaine unpaid, in soime as hereafter ensueth: What is to say, the one moitie thereof before the end of the next Trinitie Terme, and the other moitie thereof before the end of the next Hillarie Terme, or at any such other times, as by the L. Treasurer, Chauncellor, and chiefe Baron of the Exchequer, or any two of them, shall by com-

At what time the money forfeited shall be paid.

Recusants.

position vpon good bond and suretie taken, be limited before the end of the said next Trinitie Terme, if any such composition shall happen to be. And that also in every Easter and Michaelmas Terme, vntill such time as the same person do make submission, and be consozmable, according to the true meaning of the said statute, pay into the said receit of the Erchequer, xx. l. for euery moneth, which shall incurre in all that meane time. 29. El. 6. S. Br. 43.

¶ If a month after conviction without further indictment

11 Cuery such offendour, in not repairing to diuine Service, but forbearing the same, contrarie to the said Statute, as hereafter shall fortune to be thereof once convicted, shall in such of the Termes of Easter and Michaelmas, as shall be next after such conviction, pay into the said receit of Erchequer, after the rate of xx. l. for euery moneth, which shall be contained, in the Indictment, whereupon such conviction shall be. And shall also for euery moneth after such conviction without any other indictment or conviction, pay into the receit of the Erchequer aforesaid, at y. times in the yere, that is to say, in euery Easter Terme, and Michaelmas Terme, as much as then shall remaine vnpaid, after the rate of xx. l. for euery moneth after such conviction: And if default shall be made in any part of any payment aforesaid, contrary to the forme herein before limited, Then and so often the Qu. Maiestie shall and may by Writtes out of the said Erchequer, take, seise, and enioy all the goods, and two parts as well of all the lands, tenements, and hereditaments, leases and farmes of such offendour, as of all other the lands, tenements, and hereditaments, liable to such seisure, or to the penalties aforesaid, by the true meaning of this Act, leauing the third part only of the same lands, tenements, and hereditaments, leases and farmes, to and for the maintenance and relief of the same offendour, his wife, children, and familie. 29. El. 6. S. Br. 44.

All the goods, & two parts of the lands and leases of him which payeth not xx. l. a moneth.

The Indictment not mentioning that the partie is inhabiting within the Realme.

12 The Indictment of euery such offendour, mentioning the not coming of such offendour to the Church of the parish, where such person at any time before such Indictment was, or did keepe house or residence, nor to any other Church, Chappell, or vsuall place of Common Prayer, shall be sufficient in the Law. And it shall not be needfull to mention in any such Indictment, that the partie offendour was or is inhabiting within this Realme of England, or any other the Qu. Dominions: But if it shall happen any such offendour then not to be within this Realme, or other her Maiesties Dominions, in such case the partie shall be relieved by plea, to be put in in that behalfe, and not otherwise. 29. El. 6.

Reliefe to the indicted, not being within the Realme. A proclamation that the partie indicted shall yield his bodie to the Sherriffe.

13 And vpon the Indictment of such offendour, a Proclamation shall be made at the same Assises or Gaole Deliuerie, in which the Indictment shall be taken (if the same be taken at any Assise or Gaole deliuerie) by which it shall be commanded, that the bodie of such offendour shall be rendred to the Sherriffe of the same Countie, before the said next Assises or generall Gaole Deliuerie to be holden in the same Countie. And if at the said next Assises or Gaole Deliuerie, the same offendour so proclaimed, shall not make apparence of record, then vpon such default recorded, the same shall be as sufficient conviction in law of the said offence, whereof the partie so standeth indicted, as is aforesaid, as if vpon the same indictment, a triall by verdict thereupon had proceeded & bin recorded. 29. El. 6. S. Br. 42.

The offendour submitting, or dying.

14 Provided alwaies, that whensoever any such offendour, as is aforesaid, shall make submission, and become consozmable, according to the forme limited by the said Statute made (Anno 23. Eliz. 1.) or shall fortune to die, that then no forfeiture of twentie pounds for any moneth, or seisure of the lands of the same offendour, from and after such submission and consozmance, or death, and full satisfaction of all the arerages of xx. l. monthly before such seisure due, or payable, shall ensue, or be continued against such offendour, so long as the same person shall continue in conuining to diuine Service, according to the intent of the said Statute. 29. Eliz. 6.

15 It shall and may be lawfull to and for the Lord Treasurer of England, Chauncello, and chiefe Baron of the Exchequer for the time being, or two of them, to assigne and dispose of the full third part of the xx. l. for every Moneth, payed, or to be payed into the receipt of the Exchequer, as is aforesaid, for the reliefe and maintenance as well of the poore, and of the houses of correction, as of impotent and maimed souldiers, as the same Lord Treasurer, Chauncello, and chiefe Baron, or any two of them, shall order or appoint. Any thing in the said Statute made Anno 23. Eliz. 1. mentioned to the contrary, in any wise notwithstanding.

29.El.6.S.4.

16 Provided alwaies, that this Act, or any thing therein contained, shall not in any wise extend or be construed to make void or impeach any Graunt or Lease heretofore made bona fide, without fraud or couine, whereupon any yearly rent or payment is reserved or payable, or any Graunt or Lease hereafter to be made bona fide, without fraud or couin, whereupon the accustomed yerely rent or moze shall be reserved, or any other conveyance, assurance, or assignment, whatsoever heretofore made bona fide, upon good consideration, and without fraud or couine, which is not, or shall not be revocable at the pleasure of such offendor, otherwise then to give benefit or title to her Heiress, her heirs & successors, to have, perceive, and enjoy such rents and payments, during the continuance of such lease or grant, according to the true meaning of this act &c. 29.El.6.

The third part of the for-
feiture assign-
ed to the
poore.

Assurances
made bona
fide, not im-
peached.

17 This Act shall not in any wise extend, or be construed to continue any seizure of any lands or tenements of such offendor in her Heiresses hands, or in the hands of her heirs or successors, after the said offendors death, which lands or tenements he shall have or be seized of, onely for terme of his life, or in the right of his wife: Any thing in this Act &c. 29.El.6.

Seizure of
lands wherein
the offendor
hath estate
but for life.

18 If any person or persons above the age of xviij. yeres, which shall obstinately refuse to repaire to some Church, Chappell, or usual place of Common Prayer, to heare divine Service, established by her Heiresses Lawes and Statutes in that behalfe made, and shall forbear to doe the same by the space of a Moneth next after, without lawfull cause, shall at any time after 40. daies next after the end of this Session of Parliament (being 10. Aprilis, Anno Dom. 1593.) by printing, writing, or expresse words or speeches, advisedly, and purposely practise, or goe about to moue or perswade any of her Heiresses Subjects, or any other within her Highnesse Realme, or Dominions, to denie, or withstand, and impugne her Heiresses power and authoritie, in cases Ecclesiasticall, united and annexed to the imperiall Crowne of this Realme, or to that end or purpose, shal advisedly and maliciously moue or perswade any other person whatsoever, to forbear or abstaine from comming to Church to heare Divine Service, or to receive the Communion, according to her Heiresses Lawes and Statutes aforesaid, or to come to, or to be present at any unlawfull assemblies, conventicles, or meetings, under colour or pretence of any exercise of Religion, contrary to her Heiresses sayd Lawes and Statutes: or if any person or persons which shall obstinately refuse to repaire to some Church, Chappell, or usual place of Common Prayer, and shall forbear by the space of a moneth to heare Divine Service, as is aforesaid, shall after the said soe daies, either of him, or themselves, or by any motion, perswasion, inticement, or allureiment of any other, willingly ioyne in, or be present at any such assemblies, conventicles, or meetings, under colour or pretence of any such exercise of Religion, contrary to the Lawes and Statutes of this Realme, as is aforesaid: Then euery such person so offending, as aforesaid, and being thereof lawfully convicted, shall be committed to prison, there to remaine, without baile or mainprise, vntill they shal conforme and yield themselves to come to some Church, Chappell, or usual place of Common Prayer, and heare divine service, according

A recusant
persuading
other to im-
pugne the Hei-
resses ecclesiastical
lawes.

Recusants.

to her Maiesties Lawes and Statutes aforesaid, and to make such open submission and declaration of their said consojmitie, as hereafter in this act is declared and appointed. 35. Eliz. 1.

An offender
not consojmiting
himselfe, shall
abjure the
Realme.

Abjure the
Realme.

Refusing to
abjure, not de-
parting or re-
turning with-
out licence.

S. Felonie 5.

Open submis-
sion.

The forme of
the Submis-
sion.

19 If any such person or persons, which shall offend against this Act, as aforesaid, shall not within thre monethes next after they shall be convicted for their said offence, consojmit themselves to the obedience of the Lawes and Statutes of this Realme, in coming to the Church to heare Divine Service, and in making such publicke confession and submission, as hereafter in this Act is appointed and expressed, being thereunto required by the Bishop of the Diocesse, or any Justice of the Peace in the Countie where the same person shall happen to be, or by the Minister or Curate of the Parish: In euerie such case, euerie such offender being thereunto warned or required by any Justice of the Peace of the same Countie, where such offenders shall then be, shall upon his or their corporall othe, before the Justices of the Peace in the open Quarter Sessions of the same Countie, or at the Assises and Gaole Deliuerie, of the same Countie, before the Justices of the same Assises and Gaole Deliuerie, Abiure this Realme of England, and all other the Quenes Maiesties Dominions for ever, vntlesse her Maiestie shall licence the partie to returne, And thereupon shall depart out of this Realme, at such Haven or Port, and within such time, as shall in that behalfe be assigned and appointed by the said Justices, before whom such Abiuration shall be made, vntlesse the same offender be letted or staid by such lawfull and reasonable meanes or causes, as by the common Lawes of this Realme are permitted and allowed in cases of Abiuration for felonie. And in such cases of let or stay; then within such reasonable and convenient time after, as the Common Law requireth, in case of Abiuration for felonie, as is aforesaid. And the Justices of peace, before whom any such Abiuration shall happen to be made, as is aforesaid, shall cause the same presently to be entred of Record before them, and shall certifie the same to the Justices of Assises and Gaole Deliuerie of the said Countie at the next Assises or Gaole Deliuerie to be holden in the same Countie: And if any such offender, which by the tenour and intent of this Act is to be Abiured, as is aforesaid, shall refuse to make such Abiuration, as is aforesaid, or after such Abiuration made, shall not goe to such Haven, and within such time, as is before appointed, and from thence depart out of this Realme, according to this present Act, or after such his departure, shall returne, or come againe into any her Maiesties Realmes or Dominions, without her Maiesties speciall licence in that behalfe first had and obtained: Then in euerie such case the person so offending, shall be adiudged a felon, and suffer as in case of Felonie, without benefit of Clergie. 35. Elizabeth. 1.

20 If any person or persons, that shall at any time hereafter offend against this Act, shall before he or they be so warned, or required to make Abiuration, according to the tenor of this Act, repaire to some Parish Church, on some Sunday, or other Feastiuall day, and then and there heare diuine Service, and at Service time before the Sermon, or reading of the Gospell, make publicke and open submission and declaration of his and their consojmitie to her Maiesties Lawes and Statutes, as hereafter in this Act is declared and appointed: Then the same offender shall thereupon be clerely discharged, of, and from all and euerie the penalties and punishments, inflicted or imposed by this Act, for any of the offences aforesaid. The same Submission to be made as hereafter followeth: that is to say, I A.B. doe humbly confesse, and acknowledge that I haue grievously offended God, in contemning her Maiesties godly and lawfull government and authoritie, by absenting my selfe from Church, and from hearing diuine Service, contrary, to the godly Lawes and Statutes of this Realme, and in vsing & frequenting

discoy

disordered and unlawfull conventicles and assemblies, under pretence & colour of exercise of Religion: And I am hartily sorrie for the same, and doe acknowledge and testifie in my conscience, that none other person hath, or ought to have any power or authoritie over her Maestie: And I doe promise and protest, without any dissimulation, or any colour or meanes of any dispensation, that from henceforth I will from time to time obey and performe her Maesties Lawes and Statutes, in repairing to the Church, and hearing Divine Service, and to mine utmost in deavours to maintaine and defend the same. And everie Minister or Curate of everie Parish where such submission and declaration of conformity shall hereafter be so made, by any such offender as is aforesaid, shall presently enter the same into a Booke, to be kept in everie Parish for that purpose: And within tenne daies next following, shall certifie the same in writing to the Bishop of the diocess.

The submission entered into a Booke.

35. Eliz. touching Recusants.

21 Provided neuerthelesse, that if any such offender, after such Submission made, as is aforesaid, shall after wards fall into relapse, or otherwise obstinately refuse to repaire to some Church, Chappell, or usuall place of Common Prayer, to heare divine service, and shall forbear the same, as is aforesaid, or shall come or be present at any such assemblies, conventicles, or meetings, under colour or pretence of any exercise of Religion, contrarie to her Maesties Lawes & Statutes: Then everie such offender shall lose all such benefit, as he or she might otherwise by vertue of this Act have or enjoy, by reason of their said submission, and shall thereupon stand and remaine in such plight, condition, and degree, to all intents, as though such submission had never bin made: 35. Eliz. 1.

The offender in relapse.

22 All and everie the paines, duties, forfeitures, and payments, which at any time hereafter shall accrue, grow, or be payable by vertue of this Act, or of the statute made Anno 23. Eliz. concerning Recusants, shall and may be recovered and leuied to her Maesties use by Action of debt, Bill, Plaint, Information, or otherwise, in any of the Courts commonly called the High Court, Common Pleas, or Exchequer, in such sort, and in all respects, as by the ordinarie course of the Common Lawes of this Realme, any other debt due by any such person, in any other case, should or may be recovered, or leuied, wherein no C. P. or W. shall be admitted or allowed. 35. Eliz. 1.

How, & where the forfeitures shall be recovered.

23 Provided alwayes, that the third part of the penalties to be had or received by vertue of this Act, shall be employed and bestowed to such good & charitable uses, and in such manner and forme as is limited and appointed in the statute made Anno 28. Eliz. touching Recusants. 35. Eliz. 1. S. 15.

The third part of the penalties imployed.

24 Provided, that no Popish Recusant, or Feine court, shall be compelled or bound to abjure, by vertue of this Act. 35. Eliz. 1.

Popish Recusant, Feine court.

25 Provided also, that everie person that shall abjure by force of this Act, or refuse to abjure, being thereunto required, as aforesaid, shall forfeit and lose to her Maestie all his goods and chattels for ever: And shall further lose all his Lands, Tenements, and Hereditaments, for, and during the life onely of such offender, and no longer. And the wife of any offender by force of this Act, shall not lose her dower: Nor any corruption of blood shall grow, or be by reason of any offence mentioned in this Act: But that the heire of everie such offender by force of this Act, shall and may after the death of everie offender have and enjoy the lands, tenements, and hereditaments of such offender, as if this Act had not bene made. 35. Eliz. 1. C. 25.

The forfeiture of him which abjurth, or refuseth to abjure.

This Act shall continue untill the end of the first Session of the next Parliament.

26 Everie person above the age of sixteen yeres, borne within any the Queens Maesties Dominions, or made Denizen, being a Popish Recusant, and before the end of this Session of Parliament convicted for not repairing to some Church, Chappell,

Recusants.

**I convicted
Popish Recu-
sant must re-
paire to his
house, and not
remoue above
5 miles.**

Chappell, or vsuall place of Common Prayer, to heare diuine Seruice there, but forbearing the same contrary to the tenor of the Lawes and Statutes heretofore made and provided in that behalfe, and hauing any certaine place of dwelling and abode within this Realme, shall within 40. daies next after the end of this Session of Parliament, being 10. Aprilis, Anno Dom. 1593. (if they be within this realme, and not restrained or staid, either by imprisonment, or by her Maiesties commaundement, or by any order and direction of some s^re or more of the priue Councell, or by such sicknesse, or infirmities of bodie, as they shal not be able to trauell without imminent danger of life, & in such cases of absence out of the realme, restraint, or stay, then within 11. daies next after they shall returne into the realme, and be enlarged of such imprisonment, or restraint, and shall be able to trauell) repaire to their place of dwelling, where they vsually heretofore made their common abode, and shall not at any time after passe or remoue aboue 5. miles from thence. 35. Eliz. 2.

**Recusants
which shal be
hereafter con-
uicted.**

27 Euerie person being aboue the age of xviij. yeres, bozne within any her Maiesties Realmes or Dominions or made Denizen, and hauing, or which hereafter shall haue any certaine place of dwelling and abode within this realme, which being then a Popish Recusant, shall at any time hereafter be lawfully convicted for not repairing to some Church, Chappell, or vsuall place of Common Prayer, to heare diuine Seruice there, but forbearing the same contrary to the said Lawes and Statutes, and being within this Realme at the time that they shall be convicted, shall within 11. daies next after the same conviction (if they be not restrained or staid by imprisonment, or otherwise, as is aforesaid, and in such cases of restraint and stay, then within 11. dayes next after they shall be enlarged of such imprisonment, or restraint, and shall be able to trauell) repaire to their place of vsuall dwelling & abode, and shall not at any time after passe or remoue aboue 5. myles from thence, vpon paine, that euerie person & persons that shall offend against the tenor and intent of this Act, in any thing before mentioned, shall lose and forfeit all his and their goods and chattels, and shall also forfeit to the Quenes Maiestie all the Lands, Tenements, and Hereditaments, and all the Rents and Annuities of euerie such person so doing or offending, during the life of the same offender. 35. Eliz. 2. Confir. 3. Jac. 5.

**I Recusant
not hauing
any certaine
place of abode.**

28 Euerie person aboue the age of xviij. yeres, bozne within any her Maiesties Dominions, not hauing any certaine place of dwelling and abode within this Realme, and being a Popish Recusant not vsually repaying to some Church, Chappell, or vsuall place of Common prayer, but forbearing the same contrary to the same Lawes and Statutes in that behalfe made, shall within fortye dayes next after the end of this Session of Parliament (if they be then within this realme, and not imprisoned, restrained, or staid, as aforesaid, and in such case of absence out of the Realme, Imprisonment, Restraint, or Stay, then within twentie daies next after they shall returne into the Realme, and be enlarged of such Imprisonment, or Restraint, and shall be able to trauell) repaire to the place where such person was bozne, or where the father or mother of such person shall then be dwelling, and shall not at any time after remoue or passe aboue five Miles from thence, vpon paine that euerie person and persons which shall offend against the tenor and intent of this Act, in any thing before mentioned, shall lose and forfeit all his and their goods and chattels, and shall also forfeit to the Quenes Maiestie all the Lands, Tenements, and Hereditaments, and all the Rents and Annuities of euerie such person so doing or offending, during the life of the same person. 35. Eliz. 2.

**The offender
shall forfeit his
copyhold land.**

29 Euerie such offender, as is before mentioned, which hath or shall haue any lands, tenements, or hereditaments, by Copie of Court roll, or by any other custome

marie

marie tenure, at the will of the Lord, according to the custome of any manor, shall forfeit all and singular his and their said lands, tenements, and hereditaments, so holden by copie of Court Roll, or customarie tenure, as aforesaid, for and during the life of such offendor (if his or her estate so long continue) to the Lord or Lords of whom the same bin immediatly holden, if the same Lord or Lords be not then a Popish Recusant, and convicted for not comming to Church to heare divine service, but forbearing the same contrarie to the Lawes and Statutes aforesaid, nor seized or possessed upon trust to the use or behoofe of any such Recusant as aforesaid: And in such case the same forfeiture to be to the Quenes Maiestie.

35. Eliz. 2.

30 All such persons, as by the intent and true meaning of this Act, are to make their repaire to their place of dwelling and abode, or to the place where they were borne, or where their father or mother shall be dwelling, and not to remove or passe above five miles from thence, as is aforesaid, shall within xx. daies next after their comming to any of the said places (as the case shall happen) notifie their comming thither, and present themselves, and deliuer their true names in writing to the Minister or Curate of the same Parish, and to the Constable, Headborough, or Tythingman of the Towne, and thereupon the said Minister or Curate, shall presently enter the same into a Booke to be kept in everie Parish for that purpose. And afterward the said Minister or Curate, & the said Constable, Headborough, or Tythingman, shall certifie the same in writing to the Iustices of the peace of the same Countie, at the next generall quarter Sessions to be holden in the same Countie. And the said Iust. shall cause the same to be entred by the Clerke of the peace, in the rolles of the same Sessions. 35. Eliz. 2.

31 If any person or persons being a Popish Recusant, not being a feme covert, and not having lands, tenements, rents, or annuities of an absolute estate of inheritance, or freehold, of the cleere yerely value of twentie Markes, above all charges, to their owne use and behoofe, and not upon any secret trust or confidence for any other, or goods and chaffels in their owne right, and to their owne proper use and behoofe, and not upon any such secret trust or confidence for any other, above the value of forty pounds, shall not within the time before in this Act in that behalf limited and appointed, repaire to their place of usuall dwelling and abode (if they have any) or else to the place where they were borne, or where their father or mother shall be dwelling, according to the tenor and intent of this present Act, and thereupon notifie their comming, and deliuer their true names in writing to the Minister or Curate of the Parish, and to the Constable, Headborough, or Tythingman of the Towne, within such time, and in such manner and forme as is aforesaid, or at any time after such their repairing to any such place as is before appointed, shall passe or remove above five miles from the same: and shall not within three Monethes next after such person shall be apprehended or taken for offending as is aforesaid, conforme themselves to the obedience of the Lawes and Statutes of this Realme, in comming usuallly to the Church to heare Divine Service, and in making such publique Confession and Submission as hereafter in this Act is appointed and expessed, being thereunto required by the Bishop of the Dioces, or any Iustice of the Peace, of the Countie where the same person shall happen to be, or by the Minister or Curate of the Parish: In every such case, everie such Offendor being thereunto warned or required by any two Iustices of the Peace, or Coroner of the same Countie where such offendor shall then be, shall upon his and their coropall othe before any two Iustices of the Peace, or Coroner of the same Countie, Abiure this Realme of England, and all other the Quenes Maiesties Dominions for ever, and thereupon shall depart out of this Realme at such Haven and Port, and within such time, as shall in that behalf

The offendor shall notifie his comming to his place of abode.

A Recusant of female abilitie not repairing to the place appointed or thence departing.

Recusants.

Abiuration. halfe be assigned and appointed by the said Iustices of peace, or Coroner, before whom such Abiuration shall be made, vntlesse the same offendours be letted or stayed by such lawfull and reasonable meanes or causes, as by the Common Lawes of this Realme are permitted and allowed in cases of Abiuration for felonie, and in such cases of let or stay, then within such reasonable and convenient time after, as the common Law requireth in case of Abiuration for felonie, as is aforesaid. And euerie Iustice of peace, and Coroner, before whom any such Abiuration shall happen to be made, as is aforesaid, shall cause the same presently to be entered of Record before them, and shall certifie the same before the Iustices of Assises and Gaole deliuerie of the said Countie, at the next Assises or Gaole deliuerie, to be holden in the same Countie: And if any such offendour, which by the tenor & intent of this Act, is to abiure, as is aforesaid, shall refuse to make such Abiuration, as is aforesaid, or after such Abiuration made, shall not go to such Haven, & within such time as is before appointed, and from thence depart out of this Realme, according to this present Act, or after such his departure, shall returne or come againe into any her Maiesties Realmes or Dominions, without her Maiesties speciall Licence in that behalfe first had & obtained: Then in every such case the person so offending, shall be adiudged a felon, and shall suffer & lose as in case of Felony, without benefit of Clergie. 35. Eliz. 2.

Process. 32 Provided, That if any such person so restrained as is aforesaid, shall be bidden by Process without fraud or couine, or be bounden without fraud or couine to make apparance in any her Maiesties Courts, or shall be sent for, commanded, or required by any three or more of her Maiesties Princiue Councel, or by any foure or more of any Commissioners to be in that behalfe nominated and assigned by her Maiesties to make apparance before her Maiesties said Councell, or Commissioners, that in euerie such case, euerie such person so bounden, bidden, commanded, or required, to make such apparance, shall not incurre any Dayne, Forfeiture, or Losse, for travelling to make apparance accordingly, nor for his abode concerning the same, nor for convenient time for his returne backe againe vpon the same. 35. Eliz. 2. S. Br. 62.

Restrained person bound may yield his bodie to the Shyriffe. 33 If any such person or persons so restrained as is aforesaid, shall be bound, or ought to yield and render their bodies to the Shyrrifes of the Countie where they shall happen to be, vpon proclamation in that behalfe without fraud or couine to be made: Then in euerie such case, every person which shall be so bounden, or ought to yield & render their body, as aforesaid, shall not incurre any paine, forfeiture, or losse, for travelling for that intent & purpose only without fraud or couin, nor for convenient time taken for their returne backe againe vpon the same. 35. Eliz. 2.

The forme of the Submission. 34 If any person or persons, that shall at any time hereafter offend against this Act, shall before he or they shall be thereof conuicted, come to some Parish Church on some Sunday, or other Festiuall day, and then & there heare Diuine Service, and at Service time before the Sermon, or reading of the Gospell, make publique and open Submission and Declaration of his and their consoimtie to her Maiesties Lawes and Statutes, as hereafter in this Act is declared & appointed: Then the same offendour shall thereupon be clerely discharged, of, and from all and euerie paines and forfeitures inflicted or imposed by this Act, for any of the said offences in this Act contained: The same Submission to be made as hereafter followeth: That is to say, I A. B. do humbly confesse & acknowledge, that I haue grievously offended God, in contemning her Maiesties godly and lawfull gouernment and authoritie, by absenting my selfe from Church, and from hearing Diuine Service, contrarie to the godly Lawes and Statutes of this Realme, And I am hartily sorie for the same, and doe acknowledge and testifie in my conscience, that the Bishop or Bishope of Rome, hath not, nor ought to haue any power or authoritie ouer her

her Maestie, or within any her Maesties Realmes and Dominions: And I doe promise and protest, without any dissimulation, or any colour or meanes of any dispensation, that from henceforth I will from time to time, obey and performe her Maesties Lawes and statutes, in repairing to the Church, and hearing Divine Service, and do mine uttermost might to maintaine and defend the same. And euery Minister or Curat of euery Parish where such Submission and declaration of conformance shall hereafter be so made, by any such offender, as aforesaid, shall presently enter the same into a Booke, to be kept in euery Parish for that purpose, and within ten dayes then next following, shall certifie the same in writing to the Bishop of the same Diocesse. 35. Eliz. 2.

The Submission entered into a Booke,

35. Provided neuertheless, that if any such Offender after such Submission made as aforesaid, shall afterward fall into Relapse, or otherwise become a Recusant in not repairing to the Church to heare Divine Service, but shall forbear the same, contrarie to the Lawes and statutes in that behalfe made and provided: That then euery such Offender shall lose all such benefit, as he or she might otherwise by vertue of this Act, haue or enjoy by reason of their sayd Submission, and shall thereupon stand, and remaine in such Plight, Condition, and Degree, to all intents, as though such Submission had neuer bene made. 35. Eliz. 2.

The offender falling into relapse.

36. All and euery woman married, or hereafter to be married, shall be bound by all and euery article, by which, and matter contained in this statute, other then the by which and article of Abiuration before mentioned. And no such woman married, or to be married, during marriage, shall be in any wise forced or compelled to Abiure, or to be abiured by vertue of this Act: Any thing therein contained to the contrary notwithstanding. 35. Eliz. 2.

Married women bound.

37. If any that is, or shall be a Recusant, shall submit, or reforme him, or herselfe, and become obedient to the Lawes and ordinances of the Church of England, and repaire to the Church, and continue there during the time of the Divine Service, and Sacraments, according to the true meaning of the statutes in that behalfe, in the late Quenes time made and provided, When euery such person, for and during such time, as he or she shall so continue in such conformance and obedience, shall from thenceforth be freed and discharged, of, and from any the penalties and losses which the same person might otherwise sustaine, and beare, in respect or by reason of such persons Recusancie. 1. Jac. 4.

A Recusant conforming himselfe to the Law.

38. If any Recusant shall hereafter die, his Heire being no Recusant, in euery such case, euery such Heire shall be freed and discharged of all & singular the penalties, charges, and incumbrances, hapening vpon him, or her, in respect, or by reason of his or her auncestors Recusancie. And if at the decease of any such Recusant, his Heire shall happen to be a Recusant, and after shall become conformable and obedient to the Lawes and ordinances of the Church of England, and repaire to the Church, and continue there during the time of the Divine Service and Sacraments, according to the intent and true meaning of the said statutes and ordinances, in that behalfe made, as is aforesaid, And also shall take the Othe of Supremacie, in such sort, as that Othe is expessed in one Act of Parliament made An. 1. Eliz. before the Archbishop, or Bishop of the Diocesse: In euery such case, euery such Heire shall be freed and discharged, of all and singular the penalties, charges, and incumbrances, hapning vpon him, or her, in respect, or by reason of any of his, or her auncestors Recusancie. Provided alwaies, That if the Heire of any such Recusant, shall happen to be within age of xviij. yeares, at the time of the decease of his, or her Auncestor, and shall after his or her sayd age of sixtene yerres, become, or be a Recusant, in euery such case any such heire shall not be freed, or discharged, of all or any the penalties, charges, & incumbrances, hapning vpon him,

In what cases a Recusants Heire shall be charged, & in what not.

Recusants.

him, or her, in respect, or by reason of any of his or her Ancesters Recusancie, vntill he or shee shall submit or reforme him, or herselfe, & become obedient to the lawes and ordinances of the Church of England, and repaire to the Church, and continue there during the time of the Diuine Service, and Sacraments, according to the intent of the said Statutes and Ordinances in that behalfe, as is aforesaid, and shall take the said othe of Supremacie, in manner and forme aforesayd: And yet neuertheless, from and after such Submission and Othe had and taken, euerie such Heire shall be freed and discharged, of all and singular the penalties, charges, and incumbrances, hapning vpon him, or her, in respect, or by reason of any his or her Ancestors Recusancie. 1. Lac. 4.

A third part of his lying shall remaine cleere to a Recusant.

39 Where any seisure shall be had of the two parts of any lands, tenements, hereditaments, leases, or farmes, for the not payment of the twentie pounds due and payable for each Moneth, according to the Statute in that case lately made and provided: In euerie such case, euerie such two parts shall according to the extent thereof, go toward the satisfaction and payment of the xx. pounds due & payable for each Moneth, and vnpaid by any such Recusant. And the third part thereof shall not be extended, or seised by the King, his heires or successors, for not payment of the said xx. pounds, payable for each Moneth so seised or lost by any such Recusant. And where any such seisure shall be had of the two parts of the lands, tenements, hereditaments, leases, or farmes, of any such Recusant, as is aforesaid, and such Recusant shall die (the debt or duetie by reason of his Recusancie not paid, satisfied, or discharged) in euerie such case, the same two parts shall continue in his Heires possession, vntill the residue or remainder of the said debt or duetie be thereby, or otherwise, paid, satisfied, or discharged. And his Heire, his heires or successors, shall not seise, nor extend any third part descending to any such heires, or any part thereof, either by reason of the Recusancie of his or her Ancestors, or the Recusancie of any such heire. 1. Lac. 4.

A conformed Recusant shall receive the Sacrament.

40 Euer y Popish Recusant conuicted, or hereafter to be conuicted, which heretofore hath conformed him, or her selfe, or which shall hereafter conforme him, or her selfe, and repaire to the Church, and continue there during the time of Diuine Service, according to the Lawes and Statutes in that behalfe made and provided, shall within the first yeare next after the end of this Session of Parliament, (if he or shee be conformed, as aforesaid, before the end of this Session of Parliament) or within the first yeare next after that he or shee shall after this Session of Parliament, so conforme him, or her selfe, and repaire to Church, as aforesaid, and after the said first yeare, shall once in euerie yeare following at the least, receive the blessed Sacrament of the Lords Supper, in the Church of that Parish where he or shee shall most vsually abide, or be, within the said yeare, wherein by the true meaning of this Statute, he or shee ought so to receive. And if there be no such Parish Church, then in the Church next adioyning to the place of his or her such most vsual abode. And if any Recusant so conformed, shall not receive the said Sacrament of the Lords Supper accordingly, he or shee shall for such not receiuing, lose and forfeit for the first yeare twentie pounds, and for the second yeare for such not receiuing fortie pounds, and for euerie yeare after for such not receiuing threescore pounds, vntill he or shee shall haue receiued the said Sacrament, as is aforesaid. And if after he or shee shall haue receiued the said Sacrament, as is aforesaid, and after shall offend at any time offend in not receiuing the said Sacrament, as is aforesaid, by the space of one whole yeare: in euerie such case, such person so offending, shall for euery such offence lose and forfeit threescore pounds to the King and I. to be recovered in any the Kings Courts of Record at Westminster, or before Iustices of Assise, or generall Gaole deliuerie, or before Iustices of the Peace at their generall Quarter Sessions, by A. B. P. J. &c. wherein no W. C. P. &c. 1. Lac. 4.

41 The Churchwardens and Constables of every Town, Parish, or Chappell Recusants
for the time being, or some one of them, or if there be none such, then the chiefe Con- Presented.
stables of the Hundred where such Towne, Parish, or Chappell, is, or shall be, or
one of them, aswell in places exempt, as not exempt, shall once in euery yeare pre-
sent the Monethly absence from Church, of all, and all manner Popish Recu-
sants, within such Townes and Parishes, and shall present the names of euery of
the children of the said Recusants, being of the age of nine yeares and vptwards,
abiding with their sayd Parents, and as neere as they can, the age of euery of the
said Childzen, as also the names of the Secuants of such Recusants, at the generall
or quarter Sessions of that Shire, Limit, Diuision, or Libertie. All such present- The present-
ments, shall be accepted, entered, and recorded in the said Sessions, by the Clerke of ments entered.
the Peace, or Towne-Clerke for the time being, or his Deputie, without any fee to
be had, asked, or taken for the same. And in default of such Presentment to be made,
the said Churchwardens, Constables, or High Constables, respectively, shall for e-
uery such default forfeit xx. shillings. And in default of such accepting, entering,
and recording without fee, as aforesaid, the sayd Clerke of the peace, or Towne-
Clerke, shall for euery such offence forfeit forty shillings. And vpon enery present- The Present-
ment of such Monethly absence, as aforesaid, wherupon such partie so presented, toys reward.
shall after happen to bee indicted and convicted (not being for the same absence be-
fore presented) Then the sayd Churchwardens, Constables, or High Constables,
respectively, so making such presentments, shall haue a reward of forty shillings, to
bee leuiued out of the Recusants goods and estate, in such manner and forme, as by
the moze part of the Iustices shall be by warrant vnder their hands and seales, then
and there ordered and appointed. 3. Jac. 4.

42 The Iustices of Assise and Gaole deliuerie at their Assises, and the said Ju- The Iustices
rices of Peace at any their said Sessions, that haue authoritie by vertue of this Act, shall inquire
to enquire, heare, and determine of all Recusants, and offences, aswell for not recei- of offenders.
uing the Sacrament aforesaid, according to the true meaning of this Law, as for
not repaying to Church, according to the meaning of former Lawes, in such ma-
ner and forme, as the said Iustices of Assise, and Gaole deliuerie doe, or may now
do by former Lawes in the case of Recusancie, for not repaying to Church, & also
shall haue power at their said Assises, and Gaole deliuerie, and at the Sessions (in
which any Indictment against any person, either for not repairing to Church ac-
cording to former Lawes, or not receiving the said Sacrament according to this
Law, shall be taken) to make Proclamacion, by which it shall be commaunded, that Proclama-
the body of euery such offender shall be rendred to the Shireife, of the same County, tion.
or Bailife, or other keeper of the Gaole of the Libertie, before the next Assises, and
generall Gaole deliuerie, or before the next generall or quarter Sessions, respectiue-
ly to be holden for the said Shire, Limit, Diuision, or Libertie. And if at the said S.B. 13.
next Assises and generall Gaole deliuerie, or Sessions, the same offender so proclai-
med, shall not make apparance of Record: Then vpon enery such default Reco-
ded, the same shall be as sufficient a conuiction in law of the said offence, whereof the
partie shall stand indicted, as aforesaid, as if vpon the same Indictment a trial by
verdict thereupon had proceeded, and bin found against him or her, and Recorded.
3. Jac. 4. S. Iust. of Peace 10.

43 Euery offender in not repairing to Divine Seruice, but forbearing the The penaltie
same, contrarie to the Statutes in that behalfe made and provided, that hereafter of a conuicted
shall fortune to be thereof once convicted, shall in such of the Termes of Easter and Recusant.
Michaelmas, as shall be next after such conuiction, pay into the Receipt of the Ex-
chequer after the rate of twentie pounds for euery Moneth, which shall be contai-
ned in the indictment wherupon such conuiction shall be, and shall also for euery
Moneth after such conuiction, without any other Indictment or Conuiction, for-
feit

Recusants.

feit twenty pounds, and pay into the Receipt of the Exchequer aforesaid, at two times in the yeare, That is to say, in every Easter and Michaelmas Terme, as much as then shall remaine unpaid after the rate of xx. pounds for everie Moneth after such conviction, except in such cases, where the King shall and may by force of this Act refuse the same, and take two parts of the lands, tenements, hereditaments, leases, and farmes, of such offendor, till the said partie being indicted for not coming to Church, contrarie to former Lawes, shall conforme himselfe, and come to Church, according to the meaning of the Statute in that behalf made and provided. And every Conviction recorded for any offence before mentioned, shall from the Justices before whom the Record of such Conviction shall be remaining, be certified into the Kings Maiesties Court of Exchequer, before the end of the Terme following such Conviction, in such convenient certaintie for the time, and other circumstances, as the Court of Exchequer may thereupon award out Writte for the seizure of the lands and goods of every such offendor, as the cause shall require. And if default shall be made in any part of any payment aforesaid, contrarie to the forme herein before limited, then and so often, the King Maiestie, his heires and successors, shall and may by Writtes out of the said Exchequer, take, seise, and enjoy, all the goods, and two parts aswell of all the lands, tenements, and hereditaments, leases, and farmes of such offendor, as of all other the lands, tenements, and hereditaments, liable to such seizure, or to the penalties aforesaid, by the true meaning of this Act, leaving the third part onely of the same lands, tenements, and hereditaments, leases, and farmes, to and for the maintenance and reliefe of the same offendor, his wife, children, and familie. 3. Jac. 4.

Conviction
certified into
the Exche-
quer.

S.B.9.

S.B.11.

The King may
take two
parts of Re-
cusants lands

44 The Kings Maiestie, his Heires and Successors, shall from and after the Feast of Saint Michaell the Archangel, next coming after the end of this Session of Parliament, have full power and libertie to refuse the penaltie of twenty pounds a Moneth, though it be tendered ready to be paid according to the Law, and thereupon to seise, and take to his owne vse, & the uses, intents, and purposes, hereafter limited, two parts in three to be divided, aswell of all the lands, tenements, and hereditaments, leases, and farmes, that at the time of such seizure shall be, or afterward shall come to any the said offendors in not coming to Church, or any other to his, or her vse, or in trust for him, or her, or at his, or her disposition, or whereby, or wherewith, or in consideration whereof such offendor, or his familie, or any of them, shall be relieved, maintained, or kept, as of all other lands, tenements, and hereditaments, in any wise, or at any time liable to such seizure, or to the penalties aforesaid, and the same to retaine to his owne, and other uses, intents, and purposes, hereafter in this Act appointed, till every such offendor shall conforme him, or herselfe, respectively as aforesaid, in Lieu and full recompence of the xx. pounds Monethly, that during his such seizure and retainer shall incur: Any thing in the former Statutes, or in any of them, or any other statute to the contrarie in any wise notwithstanding. Having to our Soueraigne Lord the Kings Maiestie, his Heires and Successors, and all and every person and persons, bodies politike and corporat, their Heires and Successors, other then the said offendor, his or their heires, & all claiming to his or their vse, or in trust for him or them, or at his or their will or disposition, all and all manner Leases, Rents, Conditions, and other Rights and Titles whatsoever, had, made, and done (bona fide) and without fraud and couine before such seizure, Provided alwaies, That the Kings Maiestie, his heires and successors, shall not take into his two parts, but leane to such offendor his chiefe mansion house, as part of his third part, and shall not demise, lease, nor put over the said two parts, nor any part thereof, to any Recusant, nor to, or for the vse of any Recusant. And that whosoever shall take the same in lease, or otherwise of his Maiestie, his heires and successors, shall give

Recusants
Mansion
house.

give such securitie, not to commit nor suffer waite to bee committed, in, or vpon any the said premises, as by the Court of Exchequer shall bee allowed sufficient.

3. Iac. 4 S. Br. 1. 11.

45 It shall be lawfull, to and for any Bishop in his Dioces, or any two Iustices of the I. whereof one to bee of the Quorum, within the limits of their iurisdiction, out of the Sessions, to require any person of the age of xviij. yeares, or above, being, or which shall bee conuict or indicted, of, or for any Recusancie (other then Noble men, or Noble women, for not repairing to diuine seruice, according to the Lawes of this Realme, or which shall not haue receiued the said Sacrament twice within the yeare then next past (Noblemen, and Noble women excepted) or any person passing in or through the Countie, Shire, or Libertie, and vnknowne (except as is last before excepted) that being examined vpon oath, shall confesse, or not deny himselfe, or her selfe to be a Recusant, or shall confesse, or not deny, that hee or shee had not receiued the said Sacrament twice within the yeare then last past, to take the oath hereafter following vpon the holy Euangelist: which said Bishop, or two Iustices of the I. shall certifie in writing, subscribed with his or their hands, at the next generall or quarter Sessions for that Shire, Limit, Diuision, or Libertie, within which the said oath shall bee so taken, the Christen name, Surname, and place of abode, of euery person which shall so take the said oath, which certificat shall be there recorded by the Clerke of the Peace, or Towne Clerke, and kept amongst the Records of the said Sessions. If any such person or persons (other then Noble men, and Noble women) shall refuse to answer vpon oath to such Bishop or Iustices of Peace examining him or her, as aforesaid, or to take the said oath so duely tendered vnto him or her, by such Bishop, or two such Iust. of I. out of Sessions, Then the said Bishop, or Iustices of peace, shall and may commit the same person to the common Gaole, there to remaine without baile or mainprise, vntill the next Assises, or generall or quarter Sessions to bee holden for the said Shire, Diuision, Limit, or Libertie, where the said oath shall bee againe in the said open Assises or Sessions required of such person, by the said Iustices of Assises, or Iustices of Peace then and there present, or the greater number of them. And if the said person or persons, or any other person whatsoeuer (other then Noble men, or Noble women) of the age of xviij. yeares, or above, shall refuse to take the said oath being tendered vnto him or her by the Iustices of Assise and Gaole deliuerie in their open Assises, or the Iustices of Peace, or the greater part of them, in their said generall or quarter Session, euery person so refusing shall incurr the danger and penaltie of Premunire, mentioned in the Statute of Premunire, made in the 16. yeare of the raigne of King Richard the second, except women conuert, who vpon refusall of the said oath, shall be by the said Iust. of Assise in their open Assise, or Iustices of peace in their generall or quarter Sessions, for the said offence, committed onely to the Common Gaole, there to remaine without Baile or Mainprise, till they will take the said oath. The tenor of which said oath hereafter folloiweth. 3. Iac. 4.

who may tender the oath, and to whom.

S. Crowne &c. 12.

The penaltie for refusing the oath.

46 I A. B. doe truly and sincerely acknowledge, professe, testifie, and declare in my Conscience before God and the world, That our Soueraigne Lord King James, is lawfull and rightfull King of this Realme, and of all other his Majesties Dominions and Countries; And that the Pope, neither of himselfe, nor by any Authoritie of the Church, or Sea of Rome, or by any other meanes with any other, hath any Power or Authoritie, to depose the King, or to dispose any of his Majesties Kingdomes or Dominions, or to authorize any forraigne Prince to invade or annoy him, or his Countries, or to discharge any of his Subjects of their Allegiance & obedience to his Majestie, or to giue licence or leaue to any of them to beare Armes, raise tumult, or to offer any violence or hurt to his Majesties Royal person,

The forme of the oath.

Recusants.

Person, State, Gouvernement, or to any of his Majesties Subiects, within his Majesties Dominions. Also, I doe sweare from my heart, that notwithstanding any Declaration, or sentence of Excommunication, or Deprivation made or graunted, or to be made or graunted by the Pope, or his Successors, or by any Authoritie deriued, or pretended to be deriued from him, or his Sea, against the said King, his Heires, or Successors, or any Absolution of the said Subiects from their obedience: I will beare faith, and true allegiance to his Majestie, his Heires and Successors, & him and them will defend to the vttermost of my power, against all Conspiracies and attempts whatsoever, which shall be made against his or their persons, their Crowne and dignitie by reason or colour of any such sentence or declaration, or otherwise, and will do my best endeour to disclose and make knowne vnto his Majestie, his Heires and Successors, all Treasons and Trayterous Conspiracies, which I shall know or heare of to bee against him or any of them. And I doe further sweare, that I do from my heart abhorre, detest, and abiure, as impious and heretical, this Damnable Doctrine and Position, that Princes which bee Excommunicated, or deprivileged of the Pope, may be deposed or murthred by their Subiects, or any other whatsoever. And I doe beleue and in conscience am resolved, That neither the Pope, nor any person whatsoever, hath power to absolue mee of this Oath, or any part thereof, which I acknowledge by good and full authoritie to be lawfully ministred vnto mee, And doe renounce all Pardons and Dispensations to the contrarie. And these things I doe plainly and sincerely acknowledge and sweare, according to these expresse words by me spoken, And according to the plaine & common sense and vnderstanding of the same words, without any Equivocation, or mentall evasion, or secret reseruatiō whatsoever. And I doe make this Recognition and acknowledgement heartily, willingly, and truly, vpon the true faith of a Christian,

So helpe me God.

Unto which Oath so taken, the said person shall subscribe his or her name or marke. 3. Lac. 4.

An Indictment shall not be reuerſed for want of forme.

An Indictment reuerſed vpon conſormation.

47 No Indictment or Indictments had or found, or hereafter to be had or found against any person or persons, for not repairing to some Church, or Chapel, or vsuall place of Common Prayer, but absenting him, or her selfe by the space of one Moneth, contrarie to the Lawes and Statutes in that behalfe prouided, or for not receiuing the said Sacrament, contrarie to this present Law, nor any Proclamation, Edicte, or other proceeding thereupon, shall at any time hereafter be auoyded, discharged, or reuerſed, by reason of any default in forme, or lacke of forme, or other defect whatsoever (other then by direct Trauers to the point of not comming to Church, or not receiuing the said Sacrament) whereof such person or persons hath bene, or shall be indicted, but the same Indictment shall stand in force, and be proceeded vpon: Any such default, or forme, or other defect whatsoever notwithstanding. Prouided alwaies, That if any person or persons so indicted, or to be indicted, shall at any time hereafter submit and conſorme him or her selfe, and become obedient to the Lawes of the Church of England and repaire to the Parish Church of his or her most abiding, and if there be none such, then to the Church next adioyning to his or her such dwelling, and there heare Diuine Service, according to the true meaning of the Statute in that behalfe made and prouided, and there publickly receiue the said Sacrament, according to the Lawes of this Realme of England now established: That then euerie such person and persons so indicted, shall and may from thenceforth be admitted and allowed, to auoid, discharge, reuerſe, and vndo the said Indictment and Indictments, and all proceeding thereupon in such maner and forme as if this act had not bin had nor made, any thing herein contained to the contrarie in any wise notwithstanding. 3. Lac. 4.

48 Every Subject of this Realme, that after the tenth day of June next coming, shall goe or passe out of this Realme, to serve any fozeine Prince, State, or Potentate, or shall after the said tenth day of June passe over the Seas, and there shall voluntarie serve any such fozeine Prince, State, or Potentate, not having before his or their going or passing, taken the Oath aforesaid, before the officer hereafter appointed, shall be a felon. And if any Gentleman or person of higher degree, or any person or persons which hath bozne, or shall beare any Office or place of Captaine, Lieutenant, or any other place, charge, or Office, in Campe, Armie, or Companie of Souldiers, or Conductors of Souldiers, shall after goe or passe voluntarily out of this Realme, to serve any such fozeine Prince, State, or Potentate, before that he or they shall become bound by Obligation, with two such Sureties as shall be allowed of by the Officers, which are hereafter by this Act limited, to take the same Bond unto the King, his Heires or Successors, in the summe of twentie pounds of current English money at the least, with Condition to the effect following, shall be a felon. The tenor of which Condition followeth, viz.

Departing the Realme to serve a fozeine Prince.

Felony.

Bound in xx. l. with two Sureties.

Felony.

That if the within bounden &c. shall not at any time then after be reconciled to the Pope or Sea of Rome, nor shall enter into, or consent vnto any practise, plot, or conspiracie whatsoever, against the K. Maiestie, his heires & successors, or any his or their Estate and Estates, Realmes and dominions: But shall within convenient time after knowledge thereof had, reveale and disclose to the Kings Maiestie his heires and successors, or some of the Lords of his or their Honorable Priuy Councell, all such practises, plots, and conspiracies, That then the said Obligation to be void.

The Condition of the Obligation.

And it shall & may be lawful to and for the Customer and Controller of every Port, Haven, or Creek, or one of them, and their or either of their Deputie or Deputies, and none other, to receive and accept all and euery such Bond and Obligation, to and for the uses aforesaid, and to minister and give the oath aforesaid, according to the true intent of this Statute (taking for such bond vi. l. and no more, and for the said oath no fee at all) which said Customer and Controller shall Register and certifie all and euery such Bond and Oath so taken into the Court of Exchequer at Westminster once euery yeare, vpon paine of five pounds for euery Bond not so certified, and twenty shillings for euery Oath not so certified. Provided alwaies, that this last mentioned braunch shall not extend to any person or persons which are already gone, or shall go beyond the Seas to serve any fozein Prince, State, or Potentate, before the tenth day of June next coming, for his said going or passing before the tenth day of June. 3. Jac. 4.

Who may receive the said oath and Obligation.

49 If any person or persons at any time after the said tenth day of June, shall either vpon the Seas, or beyond the Seas, or in any other place within the Dominions of the Kings Maiestie, his heires or successors, put in practise to absolute, persuade, or withdraue any of the Subjects of the Kings Maiestie, or of his heires or successors, of this Realme of England, from their naturall obedience to his Maiestie, his heires or successors, or to reconcile them to the Pope or Sea of Rome, or to moue them, or any of them, to promise obedience to any pretended authoritie of the Sea of Rome, or to any other Prince, State, or Potentate, Then euery such person, their Procurators, Counsellors, Ayders, and Maintainers, knowing the same, shall be to all intents adjudged Traytors, and being thereof lawfully convicted, shall haue iudgement, suffer and forfeit as in cases of High Treason. And if any such person, as aforesaid, at any time after the said tenth day of June, shall be either vpon the Seas, or beyond the Seas, or in any other place within

Reconciling to the Pope.

Being convicted.

Recusants.

the Dominions of the Kings Maiestie, his heires or successors, willingly absolved, or withdrawne, as aforesaid, or willingly reconciled, or shall promise obedience to any such pretended authoritie, Prince, State, or Potentate, as aforesaid, every such person or persons, their Executors, and Counsellors, Ayders, and Maintainers, knowing the same, shall bee to all intents adjudged Traytors, and being thereof lawfully convicted, shall have indgement, suffer and forfeit, as in cases of High Treason. Provided nevertheless, That the last mentioned Clause of this Branch, or any thing therein containned, shall not extend, or bee taken to extend, to any person or persons whatsoever, which shall hereafter bee reconciled to the Pope or Sea of Rome as aforesaid (for and touching the point of so being reconciled onely) that shall returne into this Realme, and thereupon within six dayes next after such returne, before the Bishop of the Dioces, or two Justices of Peace (togethly or severally) of the Countie where he shall arrive, submit himselfe to his Maiestie and his Lawes, and take the oath set forth by Act in the first yeare of the Reigne of the late Quene Elizabeth (commonly called the Oath of Supremacie) as also the oath before set downe in this present Act, which said Oaths the said Bishop and Justices respectively shall have power and authoritie by this present Act, to minister to such persons as aforesaid. And the said Oaths so taken, the said Bishop and Justices, before whom such Oaths shall be so taken, respectively shall certifie at the next generall or Quarter Sessions of the Peace to be holden within the said Shire, Limit, Division or Libertie, where in such person as aforesaid shall submit himselfe, and take the said Oaths as aforesaid, upon paine of every one neglecting to certifie the same as aforesaid, the summe of forty pounds. All and every person and persons, that shall offend contrarie to this present Branch of this Statute, shall be indicted, tried, and proceeded against, by and before the Justices of Assise, and Gaole delivrie of that Countie, for the time being, or before the Justices of the Court of the Kings Bench, and be there proceeded against, according to the Lawes and Statutes of this Realme, provided against Traitors, as if the said offence had been committed in the same countie, where such person or persons shall be so taken, Any Law, Custome, or Statute to the contrary in any wise notwithstanding. Provided alwaies, That if any Piere of this Realme shall happen to be indicted of any offence made Treason by this Act, he shall have his trial by his Peeres, as in other like cases of Treason is accustomed 3. Lac. 4. S. Rome 7.

A reconciled
person taketh
the oath.

The trial.

Trial by
Peeres.

The forf. for
not going to
the Church e-
very Sunday
S. Br. 1.

50 If any Subject of this Realme, at any time after one moneth next after the end of this present Session of Parliament, shall not resort or repaire everie Sunday to some Church, Chappell, or some other usuall place appointed for Common Prayer, and there heare Divine Service, according to the Statute made in that behalfe, in the first yeare of the Reigne of the late Quene Elizabeth, then it shall and may be lawfull, to and for any one Justice of Peace of that limit, division, or libertie, wherein the said partie shall dwell, upon p[ro]ve unto him made of such default by confession of the partie, or oath of witnesse, to call the said partie before him, and if hee or she shall not make a sufficient excuse, and doe p[ro]ve thereof, to the satisfaction of the said Justice of Peace: It shall be lawfull for the said Justice of Peace, to give warrant to the Churchwarden of the said Parish, wherein the said partie shall dwell, under his hand and Seale, to levie ry. pence for every such default by distresse and sale of the goods of every such offendor, rendring to the said offendor the overplus of the money raised of the said goods so to be sold, And in default of such distresse, it shall and may be lawfull for the said Justice of Peace, to commit every such offendor to some p[ri]son within the said Shire, Division, Limit, or Libertie, wherein such offendor shall be inhabiting, untill pay-
ment

ment be made of the said Summe or Summes so to be forfeited, which forfeiture shall be employed, to and for the use of the Pooze of that Parish, wherein the offence shall be resident and abiding, at the time of such offence committed. Provided, that no man bee impeached upon this Clause, except hee bee called in question for his said default, within one Moneth next after the said default made. And no man being punished according to this Branch, shall for the same offence bee punished by the forfeiture of xij. pence, vpon the Law made in the first yeare of the late Quene Eliz. 3. Jac. 4.

within what time the offence shall be presented.

51. Euery person and persons, which after one Moneth next after the end of this present Session of Parliament, shall willingly maintayne, retayne, releue, keepe, or harbour in his or their house, any Seruant, Sojourner, or Stranger, who shall not go to, or repaie to some Church, or Chappell, or vsuall place of Common Prayer, to heare Diuine Service, but shall forbear the same by the space of one Moneth together, not hauing a reasonable excuse, contrarie to the Lawes and Statutes of this Realme, shall forfeit tenne pounds for euery Moneth, that he, she, or they, shall so releue, maintaine, retayne, keepe, or harbour any such Seruant, Sojourner, or Estranger, in his, or their house, so forbearing, as aforesaid, And euery person which shall within the time aforesaid, retayne, or keepe in his, her, or their seruice, see, or liuerie, any person or persons which shall not goe to, or repaie to some Church, Chappell, or vsuall place of Common Prayer, to heare Diuine Service, but shall forbear the same by the space of one Moneth together, shall forfeit for euery Moneth, hee, she, or they shall so retayne, keepe, or continue in his, her, or their seruice, see, or liuerie, any such person or persons, so forbearing, as aforesaid, knowing the same, tenne pounds, The same penalties to bee recovered and employed in maner and forme hereafter following. Provided neuertheless, that this Act, shall not in any wise extend to punish or impeach any person or persons for maintayning, retaining, releuing, keeping, or harbouring his, her, or their ffather, or Mother, wanting, without fraud or couyn, or other habitation or sufficient maintenance, or the Ward of any such person, or any person that shall be committed by authoritie to the custodie of any by whom they shall bee so relieved, maintained, or kept: Any thing in this Act contained to the contrarie notwithstanding. 3. Jac. 4.

Retayning a Recusant.

52. Upon any lawfull Writ, Warrant, or Proses, awarded to any Sherriffe or other Officer, for the taking, or apprehending of any Popish Recusant, standing Excommunicated for such Recusancie, it shall be lawfull for such Sherriffe, or other Officer, authorized in that behalfe if need bee, to breake open any house wherein such person Excommunicat shall bee, or to raise the power of the Countie, for the apprehending of such person, and the better execution of such Warrant, Writ, or Proses. 3. Jac. 4.

The Sherriffe may apprehend a person Excommunicat.

53. All and euery offence to be committed or done against this present Act, shall and may bee inquired of, heard and determined, before the Iustices of the Kings Bench, Iustices of Assise and Gaole deliuerie, in their severall Cities, and Gaole deliueries. And all offences other then Treason, shall bee inquired, heard, and determined, before the Just. of P. in their generall or quarter Sessions to bee holden within the Shire, Diuision, Limit, or Libertie, wherein such offence shall happen. 3. Jac. 4.

what Just. shall inquire of offenders.

54. Provided alwaies, that any Attainder of Felony, made Felony by this Act, as is aforesaid, shall not in any wise extend to take away the Dowry of the wife of any such person attainted, or bee any barre for the recouerie of the same, nor shall make, or worke any corruption of blood, or disherison of any the heire or heires of any such person or persons so attainted: This Act, or any thing therein contained to

The Attainder of Felony no corruption of blood, nor loss of dowry.

Recusants.

to the contrarie in any wise notwithstanding. 3. Iac. 4.

Plea in a suit
for any fact
done by force
of this Sta-
ture.

55 If any Action or Actions, shall at any time hereafter be commenced or brought against any person or persons, doing, committing, or commanding any act or thing, for, or concerning the execution of this present Statute, or any article or clause therein contained, When every defendant in such action and actions, may plead the generall issue, and be received to maintaine the same by any evidence that shall prove his doings and proceedings warrantable by this law. 3. Iac. 4.

Ecclesiasticall
jurisdiction
referred.

56 This Act, nor any thing therein contained, shall extend to take away or bridge the authoritie or jurisdiction of the Ecclesiasticall Censures for any cause, or matter, But the Commissioners of his Maestie, his Heires and Successors, in causes Ecclesiasticall for the time being, and the Archbishops, Bishops, and other Ecclesiasticall Judges, may do, and proceed, as befoze the making of this Act they lawfully did or might have done: Any thing in this Act to the contrarie in any wise notwithstanding. 3. Iac. 4.

Penaltie for
the Wives
offence.

57 No person shall be charged or chargeable with any penaltie or forfeiture by force of this Act, which shall happen for his wifes offence, in not receiving the said Sacrament, during her Marriage, nor any woman shall be charged or chargeable with any penaltie or forfeiture by force of this Act, for any such offence of not receiving, which shall happen during her marriage. 3. Iac. 4.

Taking the
Oath of a
Noble man.

58 In all causes where any Bishop, or Iustices of the Peace, may by force of this Act require and take of any Subject the Oath above mentioned, the Lords of the Privie Councell for the time being, or any five of them, whereof the Lord Chanceller, Lord Treasurer, or the principall Secretarie, for the time, to be one, shall have full power and authoritie, by force of this Act, at any time or times, to require and take the said Oathes befoze mentioned, of any Noble man, or Noble woman (then being above the age of 18. yerres.) And if any such Noble man or Noble woman (other then women married) shall refuse to take such Oath or Oathes, in every such case, such Noble man and Noble woman, shall incur the paine and danger of a Præmunire. 3. Iac. 4.

Passing out
of the Cinque
Ports.

59 Where any person or persons shall go or passe out of the Cinque Ports, or any member thereof, to any parts beyond the Seas, to serve any soveraign Prince, State, or Potentate, in every such case the Lord Warden of the Cinque Ports for the time being, or any person by him in that behalfe appointed, or to be appointed, shall have full power and authoritie by vertue hereof to take the bond, and minister the Oath to such Passengers, as is above mentioned.

Every person
above the age
of eightene
yeres herein
intended shall
take the oath
of Obedience.
Befoze whom
each person
shall take the
Oath.
Archbishops
and Bishops.
Ecclesiasticall
Judges and
Ministers.
Baron or
Baronesse or
above that de-
gree, and pri-
vye Councel-
lers and pre-
sidents.

3. Iacobi 4.

60 All and every person and persons, aswell Ecclesiasticall as Tempo-
rall, of what estate, dignitie, prebeminence, sex, qualitie, or degree soever
hee, shee or they bee, or shall be above the age of eightene yerres being here-
after in this Act mentioned and intended, shall make, take and receive, a com-
poyall Oath upon the Evangelists, according to the tenor and effect of an
Oath set forth in a Statute made Anno 3. Iacobi 4. befoze such person or
persons as hereafter in this Act is expressed: That is to say all and every Arch-
bishop and Bishop that now is, or hereafter shalbe, befoze the Lord Chancel-
lor or Lord Keeper of the great Seale for the time being, And all and every Eccle-
siasticall Judge, Officer and Minister of what estate, Dignitie, Prebeminence
or degree soever he or they be or shall be, befoze the Archbishop of the Province,
or Bishop or other Ordinarie of the Dioces for the time being, wherein such ec-
clesiasticall Judge, Officer, or Minister ought to exercise his said office, place or
function. At & every person & persons of or above the degree of a baron of parliament
or baronesse of this your highnes realme of England & all of your highnesse Privy
Councell

Councell, residing in London or Westminster, or within thirtie miles thereof and the Presidents of Wales, and the poorth parts, before any soure of your Highnesse private Councell, whereof the Lord Chauncelour, Lord Treasurer, Lord private Seale or principall Secretary for the time being to be one. And if such person or persons live and reside in the Countre, distant above thirtie Miles from London, then before the Lord Bishop of the Diocesse, or such other person or persons, as the Lord Chauncelour or Lord Keeper of the great Seale for the time being shall thereto by writ of Dedimus potestatem authorize. And every the twoyne servants ordinarie and extraordinarie of your Highnesse, the Queens Grace, or of the household of the Prince of Wales, and of the rest of your Highnesse Children, before the Lord Steward, the Lord Chamberlaines and Wittechamberlaines to your Highnesse and the Quene, the Treasurer and Controulour of your Highnesse Household, Master of your Highnesse Horse, the Deane of the Chapel, and the Knight Marshall for the time being, the Officers of the Greene cloth, or any thye of them. All and every Tempozall Judge, Justices of peace, Sheriffe, Escheators, Feodaries and other Officers and Ministers of Justice in this present Act not specially mentiones, and every other person or persons that doth or shall receive any fee of your Highnesse, your heires or successors, before the Lord Chauncelour or Lord Keeper of the great Seale, Lord Treasurer, Lord Admirall, Lord Warden of the fine Ports for the time being, or one of them, or before one of the chiefe Justices either of your Majesties Bench or of the Common Pleas, or before Justices of Assises of the same Countie where the parties reside, or other such persons as the Lord Chauncelour, or Lord Keeper of the said great Seale shall thereto authorize. All Mayors, Bailifes and other chiefe Officers of Cities and Townes Corporate, by what names soever they be called or known, before such person or persons as usually administer the Oath to them at their first enterance into their said Offices. All and every the Knights, Citizens, Burgeses, and Barons of the said House of the commons house of Parliament at any Parliament or Session of Parliament hereafter to be assembled, before he or they shall be permitted to enter into the said house, before the Lord Steward for the time being, or their deputie or deputies, the Master of the Ordinance, Lieutenant of the Tower of London, and Hynt-master there, the fourre principall Officers of your Maie under the Lord Admirall, before the Lord Chauncelour or Lord Keeper of the great Seale, and the Lord Admirall for the time being, or any of them: All the Officers, Ministers, Servants, and others within your said Tower of London before the Lieutenant of the Tower. All the Viceadmiralls, Captaines, Masters, Officers, Ministers, and Souldiers, in your Highnesse ships or any of them before the said fourre principall Officers of your Maie or any two of them: All persons having charge of Castles, Fortresses, Blockhouses, or Garisons, and all Captaines who shall have charge of Souldiers within this your Highnesse Realme, before the Justices of Assise of the same Countie, or before two Justices of the Peace of the same Countie, Citie, or Libertie where the same Castles, Fortresses, or Blockhouses shall stand or the charge of Souldiers shall be. All Doctors, Advocates, and Doctors of the Civile Law, and their Clerkes, before the Bishop of the Diocesse, where they shall for the most part dwell or reside. All and every person and persons tempozall that hereafter shall sue luerie or Ouster le maine out of the hands of your Highnesse, your Heires or Successors, before his or their Ouster le maine sued for and allowed, before the Master of the wards and lueries, or before the Surveyor and Attorney of your Highnesse said Court, in open Court. The Sergeants at Law, servants to the Judges in your Highnesse Courts at Westminster, and all other in the Sergeants Inn, before the chiefe Justice of your Majesties

The twoyne
servants of
the King, &
Prince &c.

Judges, Mi-
nisters of Ju-
stice, and such
as receive the
Kings fee.

Chiefe offi-
cers of Cities
and Townes
Corporat.
Knights, Ci-
tizens, Bur-
geses.

The Master
of the Ord-
nance Lieut-
enant of the
Tower &c.

Officers ser-
vants in the
Tower.
Officers and
souldiers in
ships.

Captaines of
Castles, sould-
iers.

Doctors,
Doctors, &c.
advocate of the
Civile Law.

Servants of
Luerie.
Sergeants at
Law, and the
Judges ser-
vants.

Justices

Recusants.

Gentlemen of
the Innes of
Court and
principals ac.
of the Innes
of Chauncerie.
All of the
Innes of
Chauncery.
Doctonotaries,
Attur-
neys, Clerks,
&c.

Clerks and
officers of the
Chauncery.
Parsons
vicars, cu-
rats, &c. schol-
master, vsher.
The vice-
chancelors in
the Uniuersities,
and
Principalls
of Colledges,
or Halls.
Fellowes and
Schollers in
Colledges.

Doctozs and
practisys of
Physicke.
Aldermen,
Sheriffes, and
fre of cities &
Townes cor-
porate.

when the per-
sons aforesaid
shall take the
said Oath.

Who may
render the
Oath, and to
whom.

is sitis bench, the chiefe Justice of the Common Pleas and the chiefe Baron of your Exchequer, or some or one of them, all your highnesse Subiects in the Innes of Court, or that hereafter shall be admitted thereinto, and the Principalls and Treasurers of euery Inne of Chauncerie, before the Readers and Benchers of the seuerall houses whereto they belong, or four of then at the least in their open Halls: All other your Maiesties Subiects aswell auncients as others, not being principall or Treasurer, that now are or hereafter shall be admitted into any Inne of Chauncerie, before the Principall or Treasurer and Auncients of the seuerall Innes of Chauncerie or four of them in their open Halls. All Doctonotaries, Philozers, Officers, Ministers, Attorneys, and Clerks that now are or hereafter shalbe admitted to write or practise in any of your highnesse Courts at Westminister, or in any other court of record, before the Judge or Judges of the same court. All Clerkes of the Chauncerie, and all their vnder-clerkes, and all other officers of the said Court of Chauncerie, and their Clekes before the Master of the Rolls for the time being, or before two of the Masters of the said court of Chauncerie. All parsons, vicars, & curats, and all other persons ecclesiasticall taking orders, & all and euery Scholmaster and vsher, before the Bishop of the Dioces, or other Ordinarie in the same sitting in open Court. The Vicechancelors of both the Uniuersities for the time being, & the Presidents, Wardens, Doctozs, Masters of Colledges and Halls, and all other heads and principalls of houses, Doctozs & Bedles of the Uniuersities, publicly in the Conuocation before the Senioz Masters there present. All and euery other person whatsoever, that is or shalbe promoted to any degree in schole, before the vicechancelor of the said Uniuersity for the time being in the congregation house. All fellowes of houses and all schollers of halls or Colledges that now are or hereafter shalbe receiued into the same, being vnder the degree of a Baron, before the president, Master, Doctoz, Warden or other head or chiefe gousnor of that Colledge, hall or house whereinto he shalbe receiued, and in the open hall. All Doctozs of Physick, and all others who practise Physick, that now are or hereafter shalbe admitted into the Colledge of Physicians in London before the President of the same Colledge for the time being. And all Aldermen, Sheriffes, and vnderofficers whatsoever, of the Cities and Townes Corporate, and all such as hereafter shall be made freemen of the said Citie or Towne Corporate before the Mayor Baylifes or other chiefe Officer of the said Citie or Towne in the open Hall. 7. lac. 6.

61 And to the intent, that due execution may be had of the premises without delay, all the persons before named who haue any certains time limited or expessed, when to take the foresaid oath, shall at the time therein prescribed take the same, and the rest within 6. moneths next after the end of this present Session of Parl. 7. Ia. 6.

62 And it shall and may be lawfull to and for any one of the priuie Councell of your Highnesse or of your heires and successozs, & to & for euery Bishop within his dioces, to require any Baron or Baronesse of the age of 18. yerres, or aboue, to take the said oath, and to & for any two Justices of peace, within any county, citie, or town corporat wherof one to be of the Quorum, to require any person or persons of the age of 18. yerres or aboue, vnder the degree of a Baron or Baronesse to take the said oath. And if any person or persons, of or aboue the said age and degree, now stand, or hereafter at any time shall stand, and be presented, indicted, or conuicted, for not comming to Church, or not receiuing the holy communion or Sacrament of the Lords Supper, according to the Lawes and statutes of this Realme, before the Ordinarie, or other hauing lawfull power to take such presentment or Indictment, then thye of the priuie Councell of your Highnesse, your heires or successozs wherof the Lord Chancelor, Lord Treasurer, Lord Priuie Seale or Principall Secretarie to be one, vpon knowledge thereof, shall require such person or persons

to take the said Oath. And if any other person or persons whatsoever, of and about the said age, and under the said degree now stand, or at any time hereafter shall stand and be presented, indicted, or convicted for not coming to Church, or receiving the holy communion or Sacrament of the Lords Supper, according to the Lawes and Statutes of this Realme, before the Ordinarie, or any other having lawfull power to take such presentment or indictment or if the minister, petty Constable, and Churchwardens, or any two of them, shall at any time hereafter complaine to any Justice of Peace, more adioyning to the place where any person complained of, shall dwell, and the said Justice shall find cause of suspicion, that then any one Justice of Peace within whose Commission or power such person or persons shall at any time hereafter be, or to whom complaint shall be made as aforesaid, shall upon notice thereof, require such person or persons to take the said Oath: And if any person or persons being of the age of eightene yeares or above shall refuse to take the said Oath duly tendered unto him or her, according to the true intent and meaning of this Statute, that then the persons authorized by this Law to give the said Oath, shall and may commit the same offender to the Common Gaole, there to remaine without Baile or mainprise, untill the next Assises or generall quarter Sessions to be holden for the said Shire, Division, Limit, or libertie, where the said Oath shall be againe in the said open Sessions required of such person, by the said Justices of Assise, or Justices of Peace then and there present, or the greater number of them. And if the said person or persons of the age of eightene yeares or above, shall refuse to take the said Oath, being tendered to him or her, by the said Justices of Assise and Gaole delivrie in their open Assises or Gaole delivrie, or the Justices of Peace or greater part of them in their general or quarter Sessions, every person so refusing shall incurre the danger and penaltie of Premunire mentioned in a Statute made An. 16. Rich. 2. (except women covert, who shall be committed onely to prison, there to remaine without Baile or mainprise, till they will take the said Oath. And every person so refusing to take the said Oath as above said shall be disabled to all intents and purposes, to execute any publicke place of Iudicature, or beare any other Office, (being no Office of inheritance or ministeriall function within this your Highnesse Realme of England, or to use or practise the Common Law, or Civil Law, or the Science of Physicke, or Surgery, or the Art of an Apothecary, or any Liberal Science, for his or their gaine, within this Realme, untill such time as the same person shall receive the same Oath according to the intent of this Statute. 7. Iac. 6.

The penaltie for refusing to take the said Oath.

Disabled to execute or practise certain offices or sciences.

63 And if any married woman (being lawfully convicted as a Popish Recusant for not coming to Church) shall not within thre moneths next after such conviction conforme her selfe, and repaire to the Church, and receive the Sacrament of the Lords Supper according to the former Lawes and Statutes, made and provided on that behalf, touching Recusants, That then she shall be committed to prison by one of the Privie Councell your Highnesse, your heires or Successors, or by the Bishop of the Diocesse, if she be a Baronesse, or if she be under that degree, by two Justices of peace of the same Countie, whereof one to be of the Quorum, there to remaine without Baile or mainprise untill shee shall conforme her selfe, and come to Church and receive the Sacrament of the Lords Supper; unless the husband of such Wife shall paie to the Kinges Maiestie, his heires, or Successors, for the offence of his said Wife, for every moneth tenne pound of lawfull money of England, or else the thirde part (in thre partes to bee divided) of all his Lands and Tenements, at the choice of the husband whose wife is so convicted as aforesaid, for and during so long time, as shee remayning a Recusant convicted, shall continue out of prison during which time (and no longer) shee may

The penaltie of a married woman Recusant which shall not come to the Church and receive the Sacrament.

Recusants.

may be at libertie. 7. Jac. 6.

The reward
of the discou-
vero: an office

64 Such person as shall first discover to any Justice of Peace, any Recusant, or other person, which shall entertaine or relieue any Jesuit, Seminarie, or Popish Priest, or that discover any House to have been said, & the persons that were present at such House, and the Priest that said the same, or any of them, within three daies next after the offence committed, and that by reason of such discovery, any of the said offenders be taken and convicted or attainted, When the person which hath made such discovery, shall not only be freed from the danger and penaltie of any law for such offence, if he be an offender therein, but also shall have the third part of the forfeiture of all such summes of money, goods, chattels, & debts, which shall be forfeited by such offence (so as the same total forfeitured exceed not the summe of 150. l. and if it exceed the summe of 150. l. the said person so discovering the said offence, shall have the summe of 50. l. onely for everie such discoverie:) And such person so discovering the same, after conviction of the offender, shall have a certificat from the Judges or Justices of P. before whom such conviction shall happen to be, directed to the Sheriffe or other Officer of the County, Limit, or place, that shall seize the goods, or lewie the said forfeiture, commanding the said Sheriffe or other Officer to pay the same accordingly to him that so discovered the same, out of the moneys to be levied by vertue of the said forfeitures, which warrant and payment shall be effectuall in the law for that purpose, and a sufficient discharge in that behalf for the Sheriffe or other Officer upon his account. 3. Jac. 5.

A Recusant
shall not come
to the Court.

65 No Popish Recusant convicted, or to be convicted, shall come into the Court or house where the R. Maiestie or his heire apparant to the Crowne of England shall be, unless he be commanded so to do by the Kings Maiestie, his heires or successors, or by warrant in writing from the Lords and others of the most Honorable privie Councell of the R. Maiestie, his heires and successors, or any of them, upon paine to forfeit for everie time so offending 100. l. the one moitie to the R. Maiestie, his heires and successors, the other moitie to him that wil discover and sue for the same by A. B. P. or J. in any of his Maiesties Courts of Record, wherein no C. P. M. 4c. 3. Jac. 5.

Recusants
shall depart
from London.

66 All Popish Recusants indicted or convicted, and all other persons which have not repaired to some usuall Church or Chappell, and there heard divine service, but have forborne the same by the space of 3. moneths, last past, contrarie to the Lawes and Statutes of this Realme, dwelling, abiding, or remaining within the Citie of London or the Liberties thereof, or within 10. myles of the said Citie, shall within 3. moneths next after the end of this Session of Parliament, depart from the said Citie of London, and 10. myles compasse of the same, and also shall deliver up their names to the Lord Mayor of London, in case such Recusant doe dwell or remaine within the said Citie of London, or the Liberties thereof: And in case the said Recusant shall dwell or remaine in any other Countie within 10. myles of the same Citie, then the said Recusant shall deliver up his or her name to the next Justice of peace within such Countie where the said Recusant shall so dwell or remaine, within 40. daies after the end of this Session of Parliament, upon paine, that everie person offending herein, shall forfeit to our Soueraigne Lord the Kings Maiestie, his heires and successors, the summe of 100. l. the one moitie whereof shall be to the Kings Maiestie, his heires and successors, the other moitie to him or them that will sue for the same by A. B. P. or J. in any of the Kings Maiesties Courts of Record, wherein no C. P. M. 4c. And all Popish Recusants which shall hereafter come, dwell, or remaine within the said Citie of London or the Liberties thereof, or within 10. myles of the said Citie, which now are, or hereafter shall be indicted or convicted of such Recusancie, or which shall
at

at any time hereafter not repayre to some vsuall Church or Chappell, and there heare diuine seruice, but shall so; beare the same by the space of 3. monethes, contrarie to the Lawes and Statutes of this Realme, shall within 10. daies after such Indictment or Conuiction, depart from the said Citie of London, and 10. myles compasse of the same, and also shall deliuer by their names to the Lord Mayor of London so; the time being, in case such Recusant shall dwell or remaine within the said Citie of London, or the Liberties thereof: And in case the said Recusant shall dwell or remaine in any other Countie within tenn myles of the same Citie, then the said Recusant shall deliuer by his or her name to the next Justice of peace within such Countie where the said Recusant shall so dwell or remaine, within ten dayes next after such Indictment or Conuiction, vpon paine that every person offending herein, shall likewise so; feit to our said Soueraigne Lord the Kings Maiestie, his heires, and successors, the like summe of 100. pounds, the one moitie whereof shall be to the Kings Maiestie, his heires and successors, and the other to him or them that will sue so; the same by A.B.P. or J. in any of the Kings Maiesties Courts of Record, wherein no C.P.M. &c. Provided alwaies, that such person or persons as now vse any Trade, Myserie, or manuell Occupation within the said city of London, or within ten myles of the same, and such as haue or shall haue their onely dwelling within the said Citie, or ten myles compasse of the same, not hauing any other dwelling or place of abode elsewhere, shall or may remaine and continue in such place within the said Citie, or ten myles of the same, as they haue dwelled, inhabited, or remained in by the space of thre monethes next befoze this present Session of Parliament, Any thing herein contained, to the contrarie notwithstanding. 3. Jac. 5.

67 It shall and may be lawfull so; the Kings most excellent Maiestie, his heires and successors, or so; thre or more of his Maiesties most Honourable Priuie Councell, or so; thre or more of the Priuie Councell of his heires or successors, in writing vnder the hands of the said Priuie Counsellors, to giue Licence to euerie confined Recusant to go and trauell out of the compasse of five myles, so; such time as in the said Licence shall be contained, so; their travelling, attending, and returning, and without any other cause to be expessed within the said Licence. And if any of the persons which are so confined by vertue of the Statute of 35. Eliz. 2. shall haue necessarie occasion or businesse to goe and trauel out of the compasse of the said five myles, then, and in euerie such case, vpon licence in writing in that behalf to be gotten vnder the hands and seals of foure of the Justices of peace of the same Countie, Limit, Diuision, or place next adioyning to the place of abode of such recusant, with the priuie and assent in writing of the bishop of the Dioces, or of the Lieutenant, or of any Deputie Lieu tenant of the same Countie, residing within the said Countie or Libertie, vnder their hands and seals, In euery of which Licence or Licences in writing so to be had and made, shall be specified and contained both the particular cause of the said Licence, and the time how long the said partie licenced shall be absent in travelling, attending, and returning, it shall and may thereupon be lawfull so; euerie such person so licenced, to go and trauell about such their necessarie businesse, and so; such time onely so; their travelling, attending, and returning, as shall be comprised in the said Licence, the said partie so licenced first taking his oayth all othe befoze the said foure Justices of the peace, or any of them (who shall haue authoritie by vertue of this Act to minister the same) that he hath truly informed them of the cause of his iourney, and that he shall not make any causelesse staies. And all and euerie licence hereafter to be made in this behalfe, contrarie to the tenor, effect, and true meaning of this statute, shall be utterly void, Any thing in the said former Act of 35. Eliz. 2. or in this Act to the contrarie notwithstanding. And euerie person so confined, which shall depart or go about five myles

Licence to a
Recusant con-
fined to trauei

Recusants.

from the place, whereunto he is or shall be confined, not having such licence, and not having taken such othe as aforesaid, shall incur the paine and penaltie, and forfeit as a Recusant convicted, and passing or going above five myles from the said place whereunto he is or shall be confined by the said Stat. of 35. El. should doe. 3. Jac. 5. S. 35. El. 1. Br. 26. &c.

A Recusant
disabled of cer-
taine offices
and functions

63 No Recusant convicted, shall at any time after the end of this Session of parliament, practise the Common Law of this Realme, as a Counsellor, Clerke, Attorney, Solicitor in the same, nor shall practise the Civill Law, as Advocate, or Doctor, nor practise Physike, nor exercise or use the trade or Art of an Apothecarie, nor shall be Judge, Minister, Clerke, or Steward of or in any Court, or keep any Court, nor shall be register, or town-clerke, or other minister or officer in any court, nor shall beare any office or charge, as capitaine, lieutenant, corporall, sergeant, ensigne-bearer, or other office in campe, troupe, bond, or companie of Soldiers, nor shall be captaine, master, gouvernor, or beare any office or charge, of, or in any Ship, castle, or fortress of the R. Maiestie, his heirs, and successors, but be utterly disabled for the same: and every person offending herein, shall also forfeit for every such offence 100. l. to the R. & I. to be recovered by A. W. P. I. in any of the kings courts of Record, wherein no C. P. M. &c. 3. Jac. 5.

Recusants
shall have no
publike offi-
ces.

69 No Popish Recusant convicted, nor any having a wife being a Popish Recusant convicted, shall at any time after the end of this Session of Parliament, or any popish recusant hereafter to be convicted, or having a wife which hereafter shall be a popish recusant convicted, at any time after his or her conviction, shall exercise any publike office or charge in the commonwealth, but shall be utterly disabled to exercise the same by himselfe, or by his deputie (except such husband himselfe, and his children which shall be above the age of 9. yeares abiding with him, and his servants in household, shall once every moneth at the least, not having any reasonable excuse to the contrary, repaire to some church or chappell, vsuall for diuine seruice, & there heare diuine seruice, and the said husband, and such his children & servants, as are of mæte age, receiue the Sacrament of the Lords Supper, at such times as are limited by the Lawes of this Realme, and do bring up his said children in true religion. 3. Jac. 5.

A woman
married recu-
sant.

70 Every married woman being or that shall be a popish recusant convicted (her husband not standing convicted of popish recusancie) which shall not consoyme her selfe, and remaine consoymed, but shall forbear to repaire to some church, or vsuall place of Common Praier, & there to heare diuine seruice and Sermon, if any then be, and within the said yeere receiue the Sacrament of the Lords Supper, according to the lawes of this Realme, by the space of one whole yeare next before the death of her said husband, shall forfeit and lose to the R. Maiestie, his Heires and successors, the issues and profits of two parts of her Joynture, and two parts of her dower in thre parts to be diuided during her life, of, or out of any the lands, tenements, or hereditaments, which are, or were her said husbands, and also be disabled to be executrix or administratrix of her said husband, and to haue or demand any part or portion of her said late husbands goods or chattels, by any law, custom, or vsage whatsoeuer. 3. Jac. 5.

Executrix.
Administratrix.

A Recusant
disabled as
excommunicate.

71 Every popish recusant, which is or shall be convicted of Popish Recusancy, shall stand and be reputed to all intents and purposes disabled, as a person lawfully and duely excommunicated, & as if he or she had bin so denounced and excommunicated, according to the lawes of this realme, vntill he or she so disabled, shall consoyme him or her selfe, & come to church and heare diuine seruice, & receiue the sacrament of the Lords Supper, according to the Lawes of this Realme, & also take the Othe appointed and prescribed in one other Act made this present Session of Parliament, intituled, An Act for the better discouering and repressing of Popish Recusants.

Recusants.

or goe beyond Seas, without Licence of the Kings Maiestie, or sixe of his honorable Privie Councell (whereof the principall Secretarie to be one) under their hands and Seales, then all and every such child and children so sent, or which shall so go beyond the Seas, shall take no benefit by any gift, conveyance, descent, devise, or otherwise, of, or to any Lands, Tenements, Hereditaments, Leases, Goods, or Chattels, untill hee or they being of the age of 18. yeares or above, take the oath mentioned in an Act of Parliament made this present Session, entitled, An Act for the better discouraging and suppressing of Popish Recusants, before some Justice of peace of the Countie, Libertie, or Limit, where such Parents of such children, as shall be so sent, did, or shall inhabite and dwell. And in the meane time, the next of his or her kinne, which shall be no Popish Recusant, shall have and enjoy the said Lands, Tenements, Hereditaments, Leases, Goods, and Chattels so given, conveyed, descended, or devised, untill such time as the person so sent or gone beyond the Seas, shall consojme him or selfe, and take the aforesayd Oath, and receive the Sacrament of the Lords Supper. And after such Oath taken, and conforming of himselfe, and receiving the Sacrament of the Supper of the Lords, hee or they which have so received the profits of the said Lands, Tenements, Hereditaments, Goods and Chattels, or any of them, shall make account of the profits so received, and in reasonable time make payment thereof, and rest ore the value of the said goods to such person as shall so consojme him or her selfe, as aforesaid. And all such persons as shall send the said child or children over Seas, without Licence, as aforesaid (unlesse the said child or children be Apprentices, or their Apprentices or Factors, Mariners, or Souldiers) shall forfeit 100. l. to be divided, had, and recovered in three equall parts, whereof the one third part shall be to the King, his heires, and successours, the other third part to such as shall sue for the same, and the other third part to the poore of such Parish, where such offence both in habite or remains, by A. B. P. 27. J. wherein no C. P. 11. c. 3. l. ac. 5. S. Iustit &c. 14.

Wherby child
sent beyond
the Sea.

They which
are beyond the
Sea, shall re-
turne.

75 And for that many subiects of this Realme, being neither Merchants, nor their Factors, nor Apprentices, Souldiers, nor Mariners, are of late gone beyond the Seas without Licence, and are not as yet returned, Be it enacted, that if any of the said persons so gone beyond the Seas without Licence, which are not yet returned, shall not within 6. moneths next after their returne into this Realme, then being of the age of 18. yerres, or more, take the Othe above specified, before some Justice of peace of the Countie, Libertie, or Limit where such person shall inhabite or remaine, then euery such offender shall take no benefit by any gift, conveyance, descent, devise, or otherwise, of, or to any Lands, Tenements, Hereditaments, Goods, or Chattels, untill he or they being of the said age of 18. yerres, or above, take the said Othe, & that likewise in the meane time the next of kin to the person so offending, which shall be no Popish Recusant, shall have & enjoy the said Lands, Tenements, Hereditaments, Goods, and Chattels so given, conveyed, descended, or devised, untill such time as the person so offending shall consojme himselfe, & take the aforesaid Othe, and receive the said Sacrament of the Lords Supper. And after such consojming, taking of the said Othe, and receiving of the said Sacrament, he or they that shall have so received the profits of the said lands, tenements, hereditaments, goods, and chattels, shall make account of the profits so received, & in reasonable time make payment thereof, and of the value of such goods & chattels, to such person as shall so consojme him or her selfe, as aforesaid, 3. l. ac. 5.

No Recusant
shall present
to a Justice,
nor grant an
Abdowson.

76 Euery person or persons that is or shall be a Popish Recusant convicted, during the time that he shall be or remains a Recusant, shall from and after the end of this present Session of Parliament, be utterly disabled to present to any benefice with cure, or without cure, Prebend, or any other Ecclesiasticall living, or to col- late

late or nominate to any free Schole, Hospitall, or Donatiue whatsoeuer, & from the beginning of this present Session of Parliament, shall likewise be disabled to graunt any auoydance to any benefice, prebend, or other Ecclesiasticall liuing, and the Chancelor and Schollers of the Vniuersitie of Oxfoꝛd, so often as any of them shalbe void, shall haue the presentation, nomination, collation, & donation of and to euerie such benefice, prebend, or ecclesiasticall liuing, schole, hospital, and donatiue, set, lying, and being in the counties of Oxfoꝛd, Kent, Middlesex, Suffeꝛ, Surrey, Hampshire, Berkshire, Buckinghamshire, Gloucestershire, Worcester-shire, Staf-fordshire, Warwickshire, Wiltshire, Somersetshire, Deuonshire, Cornewall, Dorsetshire, Herefordshire, Northamptonshire, Derbyshire, Carmarthen-shire, Brecknockshire, Shropshire, Cardigan-shire, Shropshire, the cite of London, & in euery cite and towne, being a countie of it selfe, lying and being with-in any of the limits and precincts of any of the Counties aforesaid, or in or within any of them, as shal happen to be void, during such time as the patron thereof shal be & remaine a Recusant conuict, as aforesaid. And the Chancelor and Schollers of the Vniuersitie of Cambridge shall haue the presentation, nomination, collation, and donation of & to euery such benefice, prebend, or Ecclesiasticall liuing, schole, hos-pitall, & donatiue, set, lying, & being in the counties of Essex, Hertfordshire, Bed-fordshire, Cambridgeshire, Huntingdonshire, Suffolke, Norfolk, Lincolnshire, Rutlandshire, Leicestershire, Derbyshire, Nottinghamshire, Shropshire, Ches-shire, Lancashire, Yorkshire, the County of Durham, Northumberland, Cum-becland, Westmerland, Radnorshire, Denbighshire, Flintshire, Carnaruan-shire, Angleshire, Merionethshire, Glainorganshire, & in euery cite and towne, being a county of it self, lying within any of the limits or precincts of any of the counties last before mentioned, or in or within any of them, as shal happen to be void, during such time as the patron thereof shalbe & remaine a Recusant conuict, as is aforesaid. Provided, that neither of the said Chancelors & Schollers of either the said Uni-versities, shall present or nominate to any benefice with cure, prebend, or other Ecclesiasticall liuing, any such person, as shall then haue any other benefice with cure of soules. And if any such presentation or nomination shall be had or made of any such person so beneficed, the said presentation or nomination shall bee utterly void. Any thing in this act to the contrary notwithstanding. 3. Jac. 5.

77 Recusants conuicted, or which shall be conuicted at the time of the death of any testator, or at the time of the granting of any Administration, shall be disabled to be executor or administrator by force of any Testament hereafter to be made, or letters of Administration hereafter to be granted, nor shall haue the custodie of any child as Guardian in Chivalrie, Guardian in socage, or Guardian in nurture, of any lands, tenements, or hereditaments, being freehold or copyhold, but shalbe ad-iudged disabled to haue any such wardship, or custodie of any such child, or of their lands, tenements, or hereditaments, being freehold or copyhold, as aforesaid. And that for the better education & preservation of the said children and of their estates, the next of the kin to such child or children, to whom the said lands, tenements, or hereditaments of such child or children cannot lawfully descend, who shall usually resort to some church or chappell, & there heare diuine seruice, & receiue the holy sa-crament of the Lords Supper thrice in the yere next before, according to the lawes of this realm, shal haue the custodie & education of the same child, & of his said lands & tenements being holden in Knights service, untill the full age of the said ward of 21. yeres. And of his said lands, tenements, & hereditaments, being holden in so-cage, as a Guardian in socage. And of the said lands, tenements, and hereditaments holden by copie of Court-roll of any manor, so long as the custome of the said ma-nor shall permit & allow the same, & in euerie of the said cases shall yeld an account of the profits thereof to the said ward, as the case shall require. And if at any time

Recusant
shall not be
executor, ad-
ministrator, or
Guardian.

Recusants.

hereafter, any of the wards of the B. Shrieve, or of any other, shall be granted or sold to any popish recusant convict, such grant or sale shall be utterly void. 3. Jac. 5.

Popish books 78 No person or persons shall bring from beyond the seas, nor shall print, sell, or buy any popish Primers, Ladies Psalters, Annals, Rosaries, Popish Catechismes, Missals, Benedictees, Portals, Legends & lives of Saints, containing superstitious matter, printed or written in any language whatsoever, nor any other superstitious books printed or written in the English tongue, upon paine of 10*l*. of 40*s*. for every such booke: One third part thereof to be to the B. Shrieve, his heires, and successors, one other third part to him that will sue for the same, and the other third part to the poore of the parish, where such booke or bookes shall be found, to be recovered by A. B. D. or I. wherein no C. D. M. &c. And the said bookes to be burned: And it shall be lawfull for any two Just. of P. within the limits of their jurisdiction, or authoritie, and to all mayors, bailiffs, and chiefe officers of cities & townes corporat in their liberties, from time to time, to search the houses and lodgings of every popish recusant convict, or of every person, whose wife is or shall be a popish recusant convict, for popish bookes, and reliques of poperie: And if any altar, picture, beades, pictures, or such like popish reliques, or any popish booke or bookes shall be found in their or any of their custodie, as in the opinion of the said Justices, Mayo, bailiff, or chiefe officer, as aforesaid, shall be thought unmeet for such recusant, to have or use, the same shall be presently defaced and burned, if it be meet to be burned: And if it be a crucifixe or other relique of any price, the same to be defaced at the generall quarter Sessions of the peace, in the Countie where the same shall be found, and the same so defaced, to be restored to the owner againe. 3. Jac. 5.

Recusants houses searched.

Popish reliques defaced

Recusants armour. 79 All such Armour, Gunpowder, and Munition, of whatsoever kinds, as any popish recusant convict within this Realme of England, hath or shall have in his house or houses, or elsewhere, or in the hands or possession of any other at his or their disposition, shall be taken from such popish recusants, or others, which have or shall have the same, to the use of such popish recusant, by warrant of 4. Justices of P. at their generall or quarter Sessions to be holden in the same countie where such popish recusant shall be resident (other than such necessaries weapons, as shall be thought fit by the said 4. Justices of peace, to remaine and be allowed for the defence of the person or persons of such recusants, or for the defence of his, her, or their house or houses) and the said armour and munition so taken, shall be kept and maintained at the costs of such recusants, in such places, as the said 4. Justices of Peace at their said Sessions of the Peace shall set downe and appoint. If any such Recusant, having, or which shall have any such armour, gunpowder, and munition, or any of them, or if any other person or persons, which shall have any such armour, gunpowder, and munition, or any of them, to the use of any such recusant, shall refuse to declare or manifest unto the said Just. of P. or any of them, what armour, he, she, or they have, or shall have, or shall let, hinder, or disturbe the delivery thereof, to any of the said Justices, or to any other person authorized by their warrant to take and seize the same, then every such person so offending, contrary to this Stat. in this behalf, shall forfeit and lose to the B. Shrieve, his heires, & successors, his & their said armour, &c. and shall also be imprisoned by warrant of or from any Just. of P. of such countie, by the space of 3. moneths, without baile or mainprise. And yet nevertheless, notwithstanding the taking away of such armour, &c. the said popish recusant shall be charged with the maintaining of the same, and with the buying, providing, & maintaining of horse, and other armour & munition, in such sort as other his Shrieve's subjects from time to time shall be appointed and commaunded, according to their severall abilities & qualities, and the said armour & munition at the charge of such popish recusant for them, and as their owne provision of armour and munition, shall be shewed at every Assize, & before the use of armour, to be

be had or made within the said Countie. 3. Jac. 5.

80. **Pr**ovided alwaies, that neither this Act, nor any thing therein contained, Ecclesiasticall
that extend to take away or abridge the authority or iurisdiction of the Ecclesiasti-
call **cr**esures for any cause or matter, but the Commissioners of his Maiestie, his
heires & successours in causes ecclesiasticall for the time being, archbishops, bishops, &
other ecclesiasticall Judges may do, & proceed, as before the making of this Act they
lawfully did or might have done, any thing in this act to the contrary notwith-
standing. 3. Jac. 5.

1. The penalties of such recusants that do refuse to pay their first fruits or tenths.

§ Ecclesiasticall 24. 29

2. Which Iustices may enquire of Recusants. S. Iust. of P. 9.

Redisseisin.

If any man be disseised of his freehold, & doth recover his seisin before the Just. in
the Court of Assise of Nouel dist. or by confession of him which did the disseisin, & hath
seisin delivered unto him by the Shirefe, if the same disseisors, after the departure
of the Iustices, or in the meane time do disseise the same plaintife of the same freehold,
& thereof comua, they shalbe take & kept in the B. prison, until the B. hath dischar-
ged them by fine or some other means. The same remedy shall they haue which doe
recover their seisin by assise of Mortdancer. And the same remedy is of all lands
& tenements recovered in the B. court by iuries, if they be after disseised by the first
disseisors, against whom in any manner they haue recovered by Iuries. Merto 20.
H. 3. 3. And they shal haue remedy by writ of Redisseisin which haue recovered by
default, redemption, or in any other manner, without recognition of assises or Iuries,
W. 2. 13. E. 1. 26. Tenant by Elegit shall haue a writ of Redisseisin, W. 2. 13. E. 1.
18. and so shall tenant by stat. Merchant. 13. E. 1. de Mercatoribus.

who shall
mainteine a
writ of Redif-
feisin.

2. When the pl. comueth into the Court, he shall haue the B. writ directed to
the Shirefe, wherein shalbe contained his declaration of disseisin done upon disseisin.
And the Shirefe shalbe commanded, that he taking with him 2 coroners, & other law-
ful knights shal go in his own person to the tenement or pasture whereof the plaint
is made, & that he shal make before them diligent inquirie by the first iurors & other
neighbois & lawful men of the vicinage thereof, & if they find him disseised againe,
then they shal do according as is aforesaid. And if it be otherwise found, the plain-
tife shalbe amerced, & the other shal go quit, but the Shirefe shal not execute any such
plaint without the B. commandement. Merton 20. H. 3. 3.

The cause &
effect of the
writ of Redif-
feisin.

3. In writs of Redisseisin double damages shalbe awarded, & they which be ta-
ken for Redisseisin, be not repleuisable by a common writ, nor shall bee deliuered
without the B. special commandement, & that upon a fine to be made to y. B. for the
offence, & if the Shirefe do deliuer them in any other sort, he shalbe grievously amer-
ced, & they for their offence greatly punished. Marl. 52. H. 3. 8. W. 2. 13. E. 1. 26.

The punish-
ment for Re-
disseisin.

1. Writs of Redisseisin shall be inrolled and sent yearly vnto the Exchequer.
S. Admeasurement 2.

Reliefe.

If any Carle, Baron, or other of the B. tenants, which holdeth of his grace in ca-
pice by knights service, do die, & at the time of his death, his heire of full age, and
oweth vnto the B. reliefe, he shal haue his inheritance for the auntient reliefe, that
is to say, the heire or heires of an Carle for a whole Carledome 100. l. the heire or
heires of a Baron, for a whole Baronie, 100. marks, the heire or heires of a knight,
for a whole knights fee, 100. s. at the most, & he that hath less shall giue less, accord-
ding

The reliefe of
an Carle, ba-
ron, & knight's
heire.

Rents.

ding to the auncient custome of fess. Mag. Chart. 9. H. 3. 2.

1 An heire which hath bin in ward, shall haue his inheritance without paying reliefe. S. Wards 3.

2 The heire of full age at the death of his auncestor, shall only pay reliefe to his Lord. S. Wards 9.

Rents.

The remedie for the executors, for rents due to their testator.

The Executors and Administrators of every tenant in fee simple, tenant in fee taile, and tenant for terme of life, of rent service, rent charge, and fee fermes, unto whom any such rent or fee ferme is or shall be due, and not paid at the time of his death, shall and may haue an action of debt for all such arrearages against the tenant or tenants that ought to haue paid the same rent or fee fermes so being behind, in the life of their Testator, or against the Executors and Administrators of the said tenants. And also furthermore it shall be lawfull to every such executor and administrator of any such person or persons, unto whom such rent or fee ferme shall be due, and not paid at the time of his death, as is aforesaid, to distraine for the arrearages of all such rents and fee fermes, upon the lands, tenements, and other hereditaments, which were charged with the payment of such rents or fee fermes, and chargeable to the distress of the said testator, so long as the said lands &c. continue, remaine, and be in the seisin or possession of the said tenant in demesne, who ought immediately to haue paid the said rent or fee ferme so being behind, to the said testator in his life, or in the seisin or possession of any other person or persons claiming the said lands &c. onely by and from the same tenant by purchase, gift, or descent, in like manner and forme as their said testator might or ought to haue done in his life time, and the said executors and administrators, shall for the same Distresse lawfully make Auoizie, upon their matter aforesaid. But this Act shall not extend to any such Baron, Lordship, or Dominion in Wales, or in the Marches of the same, whereof the inhabitants haue used thus out of the mind of man, to pay unto every Lord, or owner of such Lordship, Baron, or Dominion, at his first entry into the same, any sum or summes of money for the redemption and discharge of all duties, forfeitures, and penalties, wherewith the said inhabitants were chargeable to any of their said Lords, ancestors, or predecessors, before his said entry. 32. H. 8. 37.

Redemption money in Wales.

The husband's remedie for rent due in the life of his wife

2 If any man having in the right of his wife any estate in fee simple, fee taile, or for terme of life, or, or in any rents, or fee fermes, & the same rents or fee fermes shall be due & unpaid in the said wives life, then the said husband after the death of his said wife, his executors and administrators, shall haue an action of debt for the said arrearages against the tenant of the demesne that ought to haue paid the same, his executors or administrators. And also the said husband after the death of his said wife, may distraine for the arrearages, in like manner and forme as he might haue done, if his said wife had bene then living, and make auoizie upon his matter, as aforesaid. 32. H. 8. 37.

The remedie for a rent the estate whereof dependeth upon another's life being dead

3 If any person or persons which shall haue any rents or fee fermes for terme of life or liues of any other person or persons, and the said rent or fee ferme shall be due behind, & unpaid in the life of such person or persons, for whose life or liues the estate of the said rent or fee ferme did depend or continue, and after the said person or persons doe die, then he unto whom the said rent or fee ferme was due, in forme aforesaid, his executors and administrators, shall and may haue an action of debt against the tenant in demesne that ought to haue paid the same when it was first due, his executors and administrators, And also distraine for the same arrearages upon such lands and tenements, out of the which the said rents or fee fermes were

we re

to be issuing and payable, in such like manner and forme, as he ought or might have done, if such person or persons (by whose death the aforesaid estate in the said rents and services was determined) had bin in full life and not dead, And the auctoritie for the taking of the same distresse shall be made in manner and forme aforesaid. 32. H.8.37.

1. Assise of rent issuing forth of tenements in several Counties, shall be holden in the borders of the same counties. S. Assise 7.

2. How mesne Lords shall be answered their chiefe rents due to them during the minoritie of the Kings ward. S. Wards 17.

Remouing of prisoners, or Records.

NO writs of Habeas corpus, or Certiorari, shall be graunted to remoue any prisoner out of any Gaole, or to remoue any Recognisance, except the same writs be signed with the proper hands of the chiefe Justice, or in his absence of one of the Justices of the Court, out of the which the same writs shall be awarded or made, upon paine that he that writeth any such writs, not being signed as is aforesaid, to forfeit to the Kinge for euery such writ five pounds. 1. & 2. Ph. & Ma. 13.

A writ to remoue prisoners or recognisances.

2. The Justices of the Kings Bench (for the time being) haue authoritie by their discretions, to remaund and send downe as well the bodies of all felons and murderers remoued or brought before the King in his bench, as their indictments, into the Countiees whereas the same murders or felonies haue bin committed and done, and to command all Justices of gaole deliuerie, Justices of peace, and all other Justices and Commissioners, & euery of them, to proceed & determine upon all the aforesaid bodies and indictments so remoued, after the course of the common law, in such manner, as the same Justices of Gaole deliuerie, Justices of peace, and other commissioners, or any of them, might or should haue done, if the said prisoners or indictments had neuer bin brought into the said K. Bench. Anno 6. H.8.6.

Remouing of prisoners out of the K. bench into the Countiees to be tried.

3. No writ or writs of Habeas corpus, or any other writ or writs sued forth, or to be sued forth, by any person or persons whatsoever, out of any of her Majesties Courts of Record at Westminster, to remoue any Action; suit, plaint, or cause, depending, or to be depending, in any Court, or Courts, within any city, or towne Corporat, or elsewhere, which haue or shall haue Iurisdiction, power, or authoritie, to hold pleas in any action, plaint, or suite, shall be received or allowed by the Judge or Judges, or Officer or Officers, of the Court, or Courts, wherein, or to whom any such writ or writs shall be deliuered, but he & they shall and may proceed in the said cause and causes, ready to be tried, as though no such writ or writs were sued forth or deliuered to him or them: Except that the said writ or writs be deliuered to the Judge or Judges, Officer or Officers of the said court, before that the Iurie, which is to trie the cause in question betwene the partie or parties plaintifes, & the partie or parties that sued forth the said writ, or writs, or for whose benefit the said writ or writs is or shall be sued forth, haue appeared, and one of the said Iurie sworne to trie the said cause. 43. El. 5. 1. Jac. 25. To continue untill the end of the first Session of the next Parliament.

Remouing a suit out of a towne corporat

1. Where the body of one in execution being remoued by Corpus cum causa, shall be remaunded. S. Corpus &c. 1.

2. For the remouing of a Repleg. out of the Countie by Recordare. S. Replev. 2.

Replevium.

Replevin.

Who shall replevy a distress.

If any mans cattell be taken, and wrongfully withholpen, the Sherrife after complaint to him made, may deliver them, without any let or contradiction of him that took the cattell, if they were taken out of liberties, and if the cattell were taken within any liberties, and the baylives of the liberties will not deliver them, then the Sherrife for default of those baylives, shall cause them to be delivered. Marl. 32. H. 3. 21.

Recorde.

2 If any Lords doe distraine their tenants for any services or customes being due unto them, and the tenants doe replevie the distress by writ, or without writ, and the Lords (at the complaint of the tenants) doe by attachment come to the Countie, or other Court, having power to hold plea De verito namio, and doe avow their distress reasonable and iust, if the tenants doe disavow to hold, or doe stand to hold nothing of them which took the distress, if such lords in the countie or other Court can not obtaine iustice of their tenants, but shall be amerced, and their tenants discharged, so that they cannot be punished for the same disavowing by record of that Countie, or other Court, having no record: as long as they shall be attached at their tenants suit, a writ shall be granted unto them to remove the suit before the Justices, before whom (and not elsewhere) iustice shall be ministered to such Lords, and the cause shall be declared in the writ, (because such a man hath distrained in his law for services and customes due unto him) yet this statute is no derogation to the law commonly used, which doth not suffer any plea to be removed before the Justices, at the suit of the defendant. For though at the first when the tenant seemeth to be plaintiff, and the Lord defendant, yet having respect to that the Lord doth distraine and sue for his services and customes behind, he shall rather appeare plaintiff then defendant. Wellm. 2. 13. Edw. 1. 37. S.

Pledges to prosecute the suit, and to make returne

3 Least that after the tenant hath replevied his beasts, he should sell them, or drive them farre off, whereby the Lord which distraineth cannot have returne if it be adjudged for him, the Sherrife or his Baylives shall not take of the plaintiffes pledges or only to prosecute their suit before they make deliverance of their beasts, but also to returne them, if returne be awarded. And if any doe take pledges in other sort, he shall answer the price of his cattell, and the Lord which distraineth shall have his recoverie by writ, that he shall deliver him so many beasts or cattell, and if the Bailife have not wherewith to satisfy, his Lord shall pay it. Wellm. 2. 13. Edw. 1. 37. S. Second Deliverance.

A distress taken upon a suit commenced by the procurement of others.

4 If the Lord of Courts, or other Court holders, or Sherrifs willing to trouble those which be in subjection unto them, having no lawfull cause or meanes to grieve them, will procure others to commence suits against them, and doe give wages, offer pledges, or purchase writs, and at the suits of such plaintiffes will cause them to resort unto the Countie, Hundred, wapentake, and other Courts, be it that they have paid them a fine, according to their owne request, which is not lawfull to be done: Therefore in this case, if any man be attached by any such false complaints, he shall Replevie his Distresse so taken, and remove the suit before the Justices, before whom if the Sherrife, or any other Baylife or Lord (after the partie so distrained hath framed his complaint) will avow the distress iust by reason of any such complaints before them made: And if it be replied, that the complaints were maliciously moved against them, at the instance or procurement of the Sherrife or other Bailife or Lords, the replication shall be admitted, and if they be thereupon convicted, they shall paye a grievous amerement to the King, and answer to the partie grieved treble damages. Wellm. 2. 13. Edw. 1. 37. S. Auowric.

1 How many deputies every Shirife shal ordain to make Repleuies, & where. S. Shirifes, 22.

2 Where the shirife shal direct his Precept to the Bailife of a libertie, & where he himsele shal repleuie a distresse. S. Shirifes 30.

In what case an accomptant is not repleuifable. S. Accompt 2.

Restitution.

If any felon or felons doe rob or take away any money, goods, or cattels, from any of the Kings Subjects, from their person, or otherwise within this Realme, and thereof be indicted, and after be arraigned of the same felonie, and found guiltie thereof, or otherwise attainted by reason of euidence given by the partie so robbed, or owner of the said money, goods, or cattels, or by any other by their procurement: then the partie so robbed or owner shall bee restozed to his said Money, Goods, and Cattels. And as well the Iustices of gaole deliuerie, as other Iustices before whom any such felon or felons shall be found guiltie, or otherwise attainted by reason of euidence given by the parties so robbed, or owner, or by any other by their procurement, haue power to award from time to time, wryts of Restitution for the said money, goods, and cattels, in like manner, as though any such felon or felons were attainted at the suit of the partie in appeale. 21.H. 8.11.

Restitution of stolen goods, after the attainder of the felon.

Returne of Shirifes.

They which doe feare the indirect dealing of Shirifes, may deliuer their original and iudiciall Wryts in the open Countie, or in some other place of the Shire, where collection of the Kings money is made, and may take a Bill of the Shirife or Undershirife, bearing present, in which shall bee contained the names of the demaundants and tenants named in the Writ, and upon his request which deliuered the Writ, the Shirife or Undershirifes seale shall bee put to the Bill for a witnesse (without any thing taking therofore. 2.Ed.3.5.) And mention shall be made of the day of the deliuerance of the writ. And if the Shirife or Undershirife will not put his Seale to the same Bill, witnesse shall bee taken of Knights and other credible persons which be present, the which shall put their Seales to the same Bill, and if the Shirife will not returne Wryts deliuered vnto him, and thereupon complaint be made to the Iustices, a iudiciall Writ shall bee directed to the Iustices of Assise, that they shall enquire by those that were present when the Writ was deliuered vnto the Shirife, if they know of the deliuerance, which Inquisition shall bee returned. And if it be found thereby, that the Writ was deliuered vnto him, damages shall bee awarded to the Plaintife or Demaundant, hauing respect to the quantitie and qualitie of the Action, and to the perill which might haue chaunced vnto him by the delay which he suffered. (And also the Iustices of Assise haue power to enquire thereof at euery mans complaint, and to award damages vt supra &c. 2.Edward.3.5.) And by this meane remedie shall bee had, when the Shirife doth returne, that the Writ came too late, where by he could not execute the Kings commandement. Westminster 2. 13.Edw. 1.39. And such Execution shall bee done of them that make false returnes of wryts, whereby right is deferred, with the like paines. 28.Edward.1.16. S. Shirifes 10. That euery Shirife shall make a Deputie in the Chaucerie, Kings Bench, Common Place, and Exchequer, to receiue all wryts and warrants to be deliuered vnto them.

The manner how wryts shall be deliuered to be executed.

Deputies to receiue wryts

2 If the Shirife doe returne, that he hath commanded the Baylifes of some liberty,

Returme of Shirifes.

libertie, which did nothing therein (where indeed there is no such libertie within that Countie, which euer had returme of writs) then the Shirife shal be punished as a disseisitor of the R. and his crowne. West. 2. 13. Ed. 1. 39.

Excepe directed to the bailiffs of a libertie.

3 If the Shirife doth retorne, that he hath directed his precept to the Bailifes of some libertie (which indeed haue returme of writs) which did nothing therein, then the Shirife shalbe commaunded, that he shall not omit for any libertie aforesaid, but shall execute the R. commandement, & that he shall warne the Bailifes to whom the returned the writ, that they shall appeare at a day contained in the writ, to answer why they did not execute the R. precept. And if they doe appeare at the day, and do acquit themselves, that the writ was not returned vnto them, the Shirife shall be forthwith condemned to the Lord of the same libertie, & likewise to the parties grieved by the delay, to restore him damages. But if the bailifes do not appeare, or doe appeare, and doe not acquit themselves in forme aforesaid, in euery iudiciall writ, so long as that suit dependeth, the Shirife shalbe commaunded, that he spare for no libertie &c. West. 2. 13. Ed. 1. 39.

Non omittat propter aliquam libertatem.

Returning of issues.

4 If the Shirife doe retorne no issues, or small issues, to where he may retorne greater, if the Plaintiffe will desire to heare the Shirifes retorne, he shall, and if he will offer to proue that the Shirife might haue returned greater issues to the King, he shall haue a iudiciall writ to the Iustices of Assise, that they shall enquire in the presence of the Shirife (if he will be present) of what, and how great issues the Shirife might haue made his retorne, from the day of the writ purchased, vnto the day contained in the writ (videlicet, of the retorne thereof) and when the inquisition is returned, if he haue not lawfull answer before, he shall be charged with the ouerplus, by the esteems of the Iustices deliuered into the Exchequer, and neuerthelesse shall be grievously amerced. And the Shirife ought to know, that Rent, Coyne in grange, and all moueables, besides horse, apparell and household stuffe are contained vnder the name of issues. Westminster 2. 13. Ed. 1. 39. S. Iurors 16. c. 21. 27.

what be issues.

Resistance in executing the Kings writs.

5 The Shirife ought not to retorne that he could not execute the Kings precept, by resistance of the power of any Nobleman, for that retorne tendeth to the dishonour of the King and his Crowne, for as soon as his Underbailifes doe testifie that they found such resistance, the Shirife forthwith (all busines set apart, taking with him the power of his Countie) shall goe in his owne person to doe execution, and if he find his Underbailifes false, he shall imprison them (that other men may be warned by their punishment.) And if he find them true, he shall imprison the resistors, from which prison they shall not be deliuered, without the Kings speciall commaundement. And if the Shirife at his coming doe find such resistance, he shall certifie the Court of the names of the resistors, their aidors, consentors, commaundors, and fauourers, which shall be attached by a iudiciall writ, to appeare at the Kings Court, and if they be convicted of such resistance, they shall be punished at the Kings pleasure. But no officer of the Kings shall meddle in assigning of the foresaid punishment, for the King onely shall doe it, for such resistors are disturbers of his peace and Realme. West. 2. 13. Ed. 1. 39. S. Distresle 4.

Indenture betwixt the Shirife & bailife of franchise of euery retorne.

6 There shall be an Indenture made betwixt the Bayliffe of the Franchise, which hath full returme of writs by his proper name, and the Shirife his proper name, of euery retorne which the Bailife of any such Franchise shall make to the Shirife. And if the Shirife doe change the retorne so deliuered vnto him by Indenture, and thersof be attainted at the suite of the Lord of the same Franchise, from whence he hath received the said retorne (if the Lord haue receiued any damage, or if his Franchise be impaired) and at the suite of the parties which hath received losse by this meanes, he shall be punished by the King for his false retorne,

returme, and also shall yeld to the Lord and the partie double damunages. Stat. Eborum. 12. Ed. 1. 5.

7 Shirifes and other Bailifes which receive the things writs, returnable into his Court, shall put their owne names to the returns, so that the court may know of whom they take such returne, if need be, and if any Shirife or other Bailife doe leane out his name in his returne, he shall be grievously amerced to the R. use. Stat. Eborum 12. Ed. 1. 5.

Sherifes and Bailifes shall put their names to returns.

8 A man shall have Averment against the false returnes of Bailifes of Fraunchises, which have full returne of writs, and recover as well against them, as against the Shirife, as well of small issues returned, as in other cases, so that it be not prejudiciall to the Lords; nor to the impairing of their Fraunchises, and that the estate of holy church be saved, for the punishment shall fall onely upon the Bailifes by the punishment of their bodies, if they have not whereof to answer. 1. Ed. 3. 5.

Averment against the returne of Bailifes.

9 If any Shirife, or other having authoritie to returne writs, doth make an untrue returne upon any Capias, in a writ of Excommunicato capiēdo to him directed, that the partie named in the writ hath not yelded his bodie upon any Proclamation made, where indeed he hath yelded himselfe according to the effect thereof, he shall forfeit to the partie grieved xl. s. to be recovered by A. B. P. J. wherein no T. C. P. 2c. 5. El. 23. S. Excommunication.

Excommunicato capiēdo

10 Upon any bill, information, or action exhibited or sued against any person being sufficient, upon the Statute provided 8. Ed. 4. against giving of Lineries or badges, or unlawfull retaining, if the Shirife or Coroner doe returne any lesse issues upon the defendant than xx. s. at the first day of the distress, at the second day xxx. s. at the third day xl. s. and so at every day after, 1. shillings more, he shall forfeit for everie returne made against the same aforesaid xx. shillings. 8. Ed. 4. 2. S. Shirifes.

Return upon information, for giving of Lineries.

11 The chiefe officer or officers of everie of the R. Courts of revenue, being of Record, or that shall be of Record, shall have authoritie to set and assesse reasonable fines and amerciaments upon any Shirife or Sherifes for not returning or misreturning of any writ to them directed and delivered out of any of the same Courts, concerning the leaping or answering of any of the said issues, rents, or revenues, or of any debt due to the R. in such sort, and after such manner and soyme, as now is, or heretofore hath been lawfully used in the like, and such other cases in the R. Court of Erchequer. 7. Ed. 6. 1.

Amerciament of Shirifes for insufficient returnes.

1 What Jurors, and of what sufficiency, the Shirife in severall cases shall returne, and upon what paine. S. Jurors 12. 13. 14. 16. 19. 20.

2 The Sherifes forfeit for not returning of a Proclamation sent vnto him in any of the xij. shires in Wales, or counties of Lancaster or Chester. S. Exigent 8.

Riots, Routs, Unlawfull assemblies.

If any Riot, Assembly, or Rout of people, against the law be made in any part of the Realme, the Justices of P. thre or two of them at the least, and the Shirife, or Under Shirife of the shire where such Riot, Assembly, or Rout shall be made, shall come with the power of the Countie (if need be) to arrest them. And the same Justices, Shirifes, or Under Shirifes, shall have power to record that which they shall find done in their presence against the Law, and the same trespassors and offenders shall be committed by the record of the same Just. Shirife, or Under Shirife, in manner and soyme as is contained in the Statute of Forcible entries. 17. R. 2. 8. 13. H. 4. 7. S. Forcible entrie 2.

The Justices of P. shall arrest those which commit riots.

3 If it happen that such trespassors and offenders be departed before the coming

Enquire of Riots.

At

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Riots, Routs, Unlawfull assemblies.

ning of the said Justices and Sherife or Undersherife, the same Justices, thre or two of them, shall diligently enquire within a moneth after such riot, assemble, or rout of people so made, and the same shall heare and determine according to the law of this Realme. 13. H. 4. 7.

Certifying of the riot to the R. and his Council.

3. If the truth cannot be found in manner aforesaid, then within a moneth next after, the same Justices, thre or two of them, and the said Sherife or Undersherife, shall certifie before the King and his Council, of the whole fact, and the circumstances thereof, which Certificat shall bee of the same force that a presentment by twelve men is, upon which Certificat the said trespassers and offenders shall be put to answer, and they which shall be found guiltie, shall be punished by the discretion of the King and his Council. And if the same trespassers and offenders doe traverse the matter so certified, the same Certificat and Traverse shall be sent into the Kings Bench, there to be tried and determined according to the order of the law. 13. H. 4. 7.

Traverse of the Certificat

Process against the offenders.

4. If the same trespassers and offenders do not come before the R. and his Council, or into the R. Bench at the first precept, then another precept shall be directed to the Sherife of the Shire, to take the said trespassers and offenders, if they may be found, and to bring them at a certaine day before the R. and his Council, or into the R. Bench. And if they cannot be found, the Sherife or Undersherife shall make proclamation in his full Countie, next ensuing the delivrie of the said second precept, that they shall appeare before the R. and his Council, or in the R. Bench (or in the Chancerie in the time of vacation) within thre weeks then next following. And if the offenders doe not appeare as is aforesaid, and the proclamation be made and returned, they shall be attainted and convicted of the riot, assemble, and rout aforesaid. 13. H. 4. 7.

The force of the Justices which doe not execute this Statute.

5. The Justices of peace which dwell neere in every Countie where such riot of people shall be, together with the Sherife or Undersherife of the same countie, and also the Just. of Assise, for the time that they shall be in their Sessions (in case any such riot, assemble, or rout be made in their presence) shall do execution of this Statute, upon paine of a C. l. to be paid to the R. as often as they shall be found in default of execution of the same Statute. 13. H. 4. 7.

Commissioners to enquire of the Justices & Sherifes defaults.

6. If default be found in the said two Justices of peace, or Justices of Assise, and the Sherife or Undersherife of the Countie where such riot, assemble, or rout shall be made, touching the execution that they ought to make by vertue of the said Statute, and whereof the said Statute maketh mention: Then at the instance of the partie grieved, the R. commission shall go out under the great Seale, to enquire as well of the truth of the case, and of the original matter for the partie complainant, as of the default or defaults of the said Justices, Sherife or Undersherife, in this behalfe supposed, to be directed to sufficient and indifferent persons, at the nomination, and by the advice of the Chaunceloz of England. And the said commissioners incontinent shall send into the Chancerie the enquests and matters before them in this behalfe taken and found. 2. H. 5. 8.

Upon the commission the Coroner shall returne the Jurie.

7. The Coroners of the same Countie for the time being, in which County such riot, assemble, or rout, shall be made, shall make the pannel upon the said Commission, returnable, for the time that the Sherife so supposed in default shall remaine in his office, which Coroners shall returne no persons, but onely such which have lands, tenements, or rents, to the value of x. l. by the year at the least. And also the same Coroners shall returne upon enquerie of the said persons impanelled at the first day, when issues be to be lost, xx. s. at the least, at the second day x. s. at the least, and at the third day C. s. at the least, and at every day after, the double at the least, which issues so returned because of non-appearance of such persons impanelled, shall be for to the King, and leniable to his use. And if default be found in the said Coroners,

roners, touching the returne of such persons to be impanelled, or touching the returne of such Issues, as afoze is said, euerie of them shall pay to the R. vfe r.l. 2. H. 5. 8.

8 And if the said Sherife so reputed in default, be discharged of his office at the time that such Commission shall go out of the Chauncerie, then the new Sherife of the same Countie, his successors, immediat or immediat, and not the Coroners, shall make the panel vpon this Commission, returnable in maner and forme, as the said Coroners should do in time when the Sherife so reputed in default stood in his Office. And the same new Sherife shall incurre like paine of r.l. to the R. if any default in him be found, touching the returne of other persons by him impanelled, which haue not lands, tenements, or rents, to the value of r.l. by yere, or of returning such Issues as the said Coroners be aboue charged to returne, as the said Coroners be to lose to the R. in this behalf. 2. H. 5. 8.

where the Sherife and not the Coroner shall returne a Jurie.

9 The Chancelor of England, as soone as he may haue knowledge of such riot, assemble, or rout, shall cause to be sent the R. writ to the J. of peace, and to the Sherife, or Undersherife of the Countie where they be so made, that they shall put the foresaid Statute of 13. H. 4. in execution, vpon the paine contained in the same. And though that such writ come not to the said Iustices, Sherife, or Undersherife, they shall not be excused of the paine afozesaid, if they make not execution of the said Statute. 2. H. 5. 8.

A writ directed to enquire of Riots.

10 The Iustices and other Officers afozesaid, shall do their offices afozesaid, at the R. costs, in going, larying, and returning, in doing their said offices, by payment thereof to be made by the Sherife of the same Countie for the time being, by Indenture betwixt him and the same Iustices, and other officers afozesaid, to be made of the payment afozesaid, wherof the said Sherife vpon his accompt in the Exchequer, shall haue due allowance. 2. H. 5. 8.

Riot shall be repelled & enquired of at the R. costs.

11 Such Rioters attainted of great and hainous Riots, shall haue one whole yeares imprisonment at the least, without being let out of prison by bayle, mainprile, or in any other manner during the yeare afozesaid, and the rioters attainted of petit riots, shall haue imprisonment as the King and his Councell shall thinke good. 2. H. 5. 8.

The punishment of Riots.

12 The Kings liege people being able to trauell in the Countie where such Riots, Assemblies, or Routs be, shall be assistant to the Iustices, Commissioners, Sherife, or Undersherife of the same Countie, when they shall be reasonably warned, to ride with the said Iustices, Sherife, &c. in aid to resist such Riots, Routs, and assemblies, vpon paine of imprisonment, and to make fine and ransom to the King. 2. H. 5. 8.

Each man shall helpe to repelle riots.

13 The Bailifes of Franchises shall impanell sufficient people as before, vpon paine to lose to the R. r.l. in case that such sufficient persons may be found within the said Franchises. And like ordinances and paines shall hold place and take effect in Cities, Boroughes, and other places and townes infranchised, which haue Iustices of peace within them. 2. H. 5. 8.

Bailifes of Franchises.

Riots in Cities & townes corporat.

14 If any riot, rout, or unlawfull assemble be committed within this realme, the Sherife hauing a Wapcept directed to him, shall returne xxiij. persons dwelling within the Shire, where such Riots &c. shall be so committed, wherof euery of them shall haue lands and tenements within the same Shire, to the yearly value of xx. s. of charter land or freehold, or xxvj. s. big. d. of copyhold, or of both, aboue all charges, for to enquire of the same riot &c. And he shall returne vpon euery person so by him impanelled issues at the first day xx. s. at the second 11 s. (if that they appear not and be sworn to enquire of the premises at the first day.) And if default be found in the Sherife or Undersherife, for returning of other persons not being of the said sufficiencie, for not returning issues in forme afozesaid, then the

A writ to inquire of riots.

Riots, Routs, Unlawfull assemblies. Robberie.

said Sherife shall forfeit to the King for either xx. l. 19. H. 7. 13.

Maintenance
who by a riot
is not found
by the Justices

The punish-
ment of the
maintainers &
unbrazers.

15. If the said Riot, Rout, or unlawfull assembly be not found by the said Justices, by reason of any maintenance or unbrazerie of the said Justices, then the same Justices, and the Sherife or Under Sherife (besides such Certificat that they be bound to make according to the foresaid Statute of 13. H. 4.) shall in the same Certificat certifie the names of the maintainers and unbrazers in that behalfe (if any bee) with their misdemeanors that they know, upon paine of every of the said Justices and Sherife or Under Sherife, to forfeit xx. l. if they haue no reasonable excuse, for not certifying of the same, which certificat so made, shall be of like force and effect in the law, as if the matter contained in the same were duly found by the verdict of xij. men: And every person duly proued to be a maintainer, or unbrazier of the same, shall forfeit to the King xx. l. and shall be committed to ward, there to remaine by the discretion of the Justices. 19. H. 7. 13.

Robberie.

Taking a-
way any per-
son against
his will.

Tryng or as-
senting to the
detaining of
any other.
Receiuing or
carrying of
Blacke mayle.

Giuing of
Blacke mayle,
burning of
Barne, or
stackes of
Cozne.

Whofoeuer shall at any time hereafter, without lawfull authoritie, take any of her Maiesties Subjects against his or their will, or wils, and carie them out of the Counties of Cumberland, Northumberland, Westmerland, and the Bishopricke of Durham, or to any other place within any of the said Counties, or detaine, force, or imprison him, or them, as prisoners, or against his, or their wils, to ransom them, or to make a prey or spoyle of his or their person or goods, upon deadly feud, or otherwise: Or whofoeuer shall be proued, consenting, ayding, or assisting vnto any such taking, detaining, carrying away of any such person or persons prisoners as aforesaid: Or whofoeuer shall take, receiue, or carie, to the vse of himselfe, or willingly to the vse of any other, any money, cozne, cattell, or other consideration commonly called Blacke mayle, for the protecting or defending of him or them, or his or their lands, tenements, goods, or chattels, from such thefts, spoyles, and robberies, as is aforesaid: Or whofoeuer shall giue any such money, cozne, cattell, or other consideration, called Blacke mayle, for such protection as is aforesaid: Or shall wilfully, and of malice burne, or cause to be burned, or aye, procure, or consent to the burning of any Barne, or stacke of Cozne, or Graine, within any of the said Counties, or places aforesaid, and shall be of the said seuerall offences, or of any of them indicted, and lawfully convicted, or shall stand mute, or shall challenge peremptorily aboue the number of twentie, before the Justices of Assises, Justices of Gaole deliuerie, Justices of Oyer and Terminer, or Justices of Peace within any of the said Counties, at some of their generall Sessions within some of the said Counties to be holden, shall be reputed, adiudged, and taken to be as felons, and shall suffer death, without any benefit of Clergie, Sanctuary, or Aburation, and shall forfeit as in case of felonie. 43. Eliz. 1. 34. Statute.

The names
of Outlawes
shall be deliue-
red to the Sher-
ife.

Proclamation
of the Out-
lawes.

2. Euerie Clerke of the Peace within euerie of the said Counties, shall within the space of two Moneths next after any Outlawrie within any of the said Counties, deliuer, or cause to be deliuered, by writing vnder his hand, the names of all and euerie such as are, or shall be hereafter outlawed within their seuerall Counties (for murders, Robberies, Burglaries, or other felonies,) to all and euerie the Sherifes of the said seuerall Counties. And all and euerie the said Sherifes shall proclaime and publish them to be outlawed in their seuerall Countie Courts, and in the Citie of Carlisle, the Townes of Berwick, and Colermouth in the Countie of Cumberland, and in the Townes of Appulby, & Kendall, in the Countie of Westmerland, and in the Towne of Newcastle vpon Tyne in the Countie of the Towne of Newcastle vpon Tyne, and in the Townes of Gosport, Alne, & wike,

like, and heram in the Countie of Northumberland, and in the Citie of Durham, and Townes of Darlington, Bishop Atocland, and Barnard Castle within the Bishopricks of Duresme, and in the Towne of Berwicke upon Tyne. And the said Sheriffs having notice, as aforesaid, shall from time to time once in the month, at their Countie Court, proclaim euerie of the said persons so outlawed, untill they shall payd their bodies to Prison. And likewise the Mayors, Baylives, Aldermen, and other chiefe Officers within the said severall Citiees and Townes, shall proclaim the like at euerie Fayre or Fayres to bee kept within the said Citiees and Townes, and once euerie five weekes at their Markets. 43. Eliz. 13.

3 If any person or persons inhabiting within any of the said severall Countiees, shall wittingly and willingly have conference, talke, or in any sort shall relieue, entertaine, or confesse with any such person or persons so outlawed, or hereafter to be outlawed, for any such Murders, Robberies, and Burglaries, or other felonies, having knowledge of the same Outlawries, by reason of the same Proclamation, or otherwise, and then shall not with convenient speed doe his best endeavour to take and arrest any such person or persons so Outlawed, or to be Outlawed, as is aforesaid, he shall suffer imprisonment by the space of five Monethes, without bayle or mainprise, and bee bound with two sufficient Sureties for his good behaviour for the space of one yeare after, before he be enlarged of his imprisonment. 43. Eliz. 13.

Relieving or conferring with any outlawed for felonie.

4 The Iustices of Assise within any of the said Countiees, Iustices of Gaole delivrie, Iustices of Oyer and terminer, or Iustices of peace within any of the said Countiees, at any of their generall Sessions, shall have authoritie by this Act, to inquire, heare, and determine of the offences and defaults of the said Sherifes, Mayors, Bailives, Aldermen, & other Officers, and of the Clerks of Peace within the said Countiees, & proceed against them by Informations, or Indictment, & punish them by fine, imprisonment, or otherwise, as they shall thinke fit. 43. Eliz. 13.

Inquire and punishment of offenders.

5 This Act shall not extend to abridge or impeach the iurisdiction or authoritie of any the Lordes Wardens of any the Marches of England, for and against Scotland. 43. Eliz. 13.

1 Clergie taken from those which commit any Robberie. S. Clergie 13.

Rome, &c.

If any person or persons, dwelling, inhabiting, or resiant within this Realme, or any other the Quenes Dominions, &c. or elsewhere, within or under her obedience, of what estate, dignitie, condition, preheminence, or degree soever hee or they be, shall by writing, ciphers, printing, preaching, or teaching, deed or act, advisedly and wittingly, hold, or stand with, to extoll, set forth, maintaine, or defend the authoritie iurisdiction, or power of the Bishop of Rome, or of his See, heretofore claimed, used, or usurped within this Realme, or in any Dominions or Countie, being of, within, or under the power or obedience, or by any speech, open deed, or act, advisedly, and wittingly, attribute any such manner of iurisdiction, authoritie, or preheminence to the said See of Rome, or to any Bishop of the same See for the time being within this Realme, or in any the Quenes dominions or Countiees: When euerie such person or persons so doing, or offending, their abettors, procurers, and counsellors, and also their aydoers, assistants, and comforters, upon purpose, and to the intent to set forth, further, and extoll the said usurped power, authoritie, or iurisdiction of any of the said Bishop or Bishops of Rome, and euerie of them, being thereof lawfully indicted, or presented, within one yeare next after any such offences by him or them committed, and being lawfully

Maintaining the authoritie of the Bishop of Rome.

Let it

fully

The second
offence.

No corrupti-
on of blood.

Relieving the
offenders.

Giving or ta-
king absolu-
tion by any
Bulls from
Rome.

Obtaining of
Bulls from
Rome.

The forfeit of
offenders, com-
plices, and
maintainers,
after the offen-
ces commit-
ted.

fully convicted or attainted at any time after, according to the Lawes of this Realme, for euery such default and offence, shall incurre into the dangers, penalties, paines, and forfeitures, ordained and provided by the Statute of Praemunire made 16.R.2. And if any such offender after such conviction and attainder as is aforesaid, doeth commit, or doe the said offences, or any of them, in manner & forme aforesaid, and be thereof duly convicted and attainted as is aforesaid: Then euery such offender shall forfeit and suffer such paines, forfeitures, iudgement, and execution, as is used in cases of high Treason. But this Act, or any attainder to be had by force thereof, shall not extend to make any corruption of blood, the disheriting of any heire, forfeiture of Dowry, nor to the prejudice of the right or title of any person or persons, other then the right or title of the offender or offenders, during his, her, or their naturall liues onely. And it shall and may be lawfull to euery person or persons, to whom the right or interest of any lands, tenements, or hereditaments, after the death of any such offender or offenders, should or might haue appertained, if no such attainder had bene, to enter into the same without any Oulster le maine to be sued, in such sort, as hee or they might haue done if this Act had neuer been had ne made. But charitable giving of reasonable almes to any of the offenders aboue specified, without fraud or couin, shall not be taken to be any such abetment, procuring, counselling, aiding, assisting, or comforting, as thereby the giver of such almes shall incurre any paine, penaltie, or forfeiture appointed in this Act. 5. El. 1. S. Iust. of P. 9.

2. If any person or persons shall vse, or put in vse, in any place within this Realme, or in any the Quenes Dominions, any Bull, writing, or instrument, written or printed, of absolution, or reconciliation, obtained from the Bishop of Rome, or any his successors, or from any other person or persons authorized, or claiming authoritie, by, or from the said Bishop, his predecessors, or successors, or See of Rome: Or if any person or persons shall take upon him, or them, by colour of any such Bull, writing, instrument, or authoritie, to absolve, or reconcile any person or persons, or to graunt, or promise to any person or persons within this Realme, or any other the Quenes Dominions, any such absolution, or reconciliation, by any speech, preaching, teaching, writing, or any other open deede: Or if any person or persons within this Realme, or any the Quenes Dominions, shall willing receiue, and take any such absolution, or reconciliation: Or else if any person or persons haue obtained or gotten since the last day of the Parliament, holden Anno 1. Eliz. or shall obtaine, or get, from the said Bishop of Rome, or any his successors, or See of Rome, any manner of Bull, writing, or instrument written, or printed, containing any thing, matter, or cause whatsoever, or shall publish, or by any waies or meanes put in vse any such Bull, writing, or instrument: Then all and euery such act and acts, offence and offences, shall be deemed & adiudged to be high Treason, and the offender or offenders therein, their procurers, abettors, and counsellors to the fact, and committing of the said offence or offences, shall be deemed and adiudged high Traitors to the Quene and the Realme, and being thereof lawfully indicted and attainted, according to the course of the Lawes of this Realme, shall suffer death, and forfeit all their lands, hereditaments &c. and cattells, as in cases of high Treason by the Lawes of this Realme ought to be lost and forfeited &c. 13. El. 2.

3. All and euery aidors, comfortors, or maintainors of any of the said offender or offenders, after the committing of any of the said acts or offences, to the intent to set forth, uphold, or allow the doing, or execution of the said usurped power, inhibition, or authoritie, concerning the premises, or any part thereof, shall incurre the paines and penalties contained in the Statute of Praemunire made 16.R.2. 13. El. 2.

13. If any person or persons to whom any such absolution, reconciliation, Bull, writing, or instrument, as is aforesaid, shall be offered, moved, or perswaded to be used, put in use, or executed, shall conceale the same offer, motion, or persuasion, and not disclose and signifie the same by writing, or otherwise, within five weekes then next following, to some of the Quenes priuie Councell, or else to the President, or Vicepresident of the Qu. Councell established in the North, or in the Marches of Wales, for the time being: Then the same person or persons so concealing &c. shall incur the penaltie and forfeiture of misprision of high Treason. But no person or persons shall be troubled in, or for misprision of Treason, for any offence made Treason by this Act, other then such as by this Act before are declared to be in case of misprision of high Treason. 13. Eliz. 2.

Concealing of
absolution or
Bull offered.

Misprision.

14. If any person or persons shall at any time bring into this Realme, or any the Dominions of the same, any token or tokens, thing or things, called by the name of an Agnus Dei, or any crosses, pictures, beads, or such like vaine and superstitious things from the Bishop, or See of Rome, or from any person or persons, authorized, or claiming authoritie by or from the said Bishop, or See to consecrate or hallow the same, If the same person shall deliver, or cause, or suffer to be deliuered the same, or any of them, to any Subject of this Realme, or of any the dominions of the same, to be worn or used in any wise: Then as well the same person and persons so doing, as also all and euery other person or persons which shall receive and take the same, to the intent to use or weare the same, being thereof lawfully convicted and attainted by the order of the Common Lawes of this Realme, shall incur into the daungers, penalties, paines, and forfeitures ordained and provided by the Statute of Praemunire and Prouision, made 16. R. 2. Sauing to all and euery person and persons, and bodie politike an corporat, their heires and successors, other then the said offenders, and their heires, and such person and persons as claime to any their uses, all such rights, titles, interests, possessions, leases, rents, reuerfions, offices, fees, hereditaments, &c. as they or any of them shall haue at the day of the committing such offence or offences, or any time before, in as large and ample manner, as if this Act had neuer bene had nor made: Any thing herein &c. notwithstanding. 13. Eliz. 2.

Agnus dei,
crosses, pictures.

Other mens
rights saved.

15. If any person or persons to whom any such Agnus Dei, or other the things aforesaid shall be tendered, and offered to be deliuered, shall apprehend the party so offering the same, and bring him to the next Iustice of Peace of that Shire where such tender shall be made (if he shall be able so to doe) or for lacke of such abilitie, shall within three dayes next after such offer made, disclose the name and names, and dwelling place, or places of resort of the person or persons which shall make such offer (which he shall indevour himselfe to know by all the meanes he can) to the Ordinarie of that Diocese, or to any Iustice of Peace of that Shire, where such person or persons to whom such offer shall be made shall be resident: And also if such person or persons to whom such offer shall be made, shall happen to receive any such Agnus Dei, or other thing aboue remembred, and shall within the space of one day next after such receipt, deliver the same to any Iustice of Peace within the same Shire, where the partie so receiving shall be then resident, or shall happen to be: When euery such person or persons doing any the acts or things last aboue mentioned, in forme aboue declared, shall not by force of this Statute incurre any danger or penaltie appointed in this Statute, or any other paine or penaltie. 13. Eliz. 2. And that Iustice of Peace to whom any such matter shall be declared, shall disclose the same within fourtene dayes after to one of the Quenes priuie Councell, or else he shall incurre the danger of Praemunire, provided by the Statute made An 16. R. 2. S. Iustice of peace 103.

Apprehending the
offer, or disclosing
his name

Rome &c. Sacraments and Service Diuine.

**Withdrawing
the Subjects
from their obe-
dience to the
Queen.**

**Reconciling,
or being re-
conciled.**

**Bydoers and
maintainers
of the offen-
ders.**

Dispension.

7 All persons whatsoever, which haue, or shall haue, or shall pretend to haue power, or shall by any waies or meanes put in practice, to absolve, perswade, or withhold any of the Queenes Maiesties Subjects, or any within any her Highnesse Dominions, from their naturall obedience to her Maiestie, or to withhold them so; that intent from the Religion now by her Highnesse authoritie established within her Dominions, to the Romish Religion, or to moue them, or any of them, to promise any obedience to any pretended authoritie of the See of Rome, or of any other Prince, State, or Potentate, to be had or vsed within her Dominions: Or shall do any ouert act, to that intent or purpose, and euerie of them, shall be to all intents adiudged to be Traitors: And being thereof lawfully convicted, shall haue iudgement, suffer, and forfeit, as in case of high Treason. And if any person shall by any meanes be willingly absolved, or withholding, as aforesaid, or willingly be reconciled, or shall promise any obedience to any such pretended authoritie, Prince, State, or Potentate, as is aforesaid: Then euerie such person, their procuroers, and counsellors thereunto, being thereof lawfully convicted, shall be taken, tried, and iudged, and shall suffer and forfeit, as in cases of high Treason. 23. El. 1. S. Recusants 49.

8 All and euerie person and persons, that shall wittingly bee aidors, or maintainors of such persons so offending, as is aboue expressed, or of any of them, knowing the same, or which shall conceale any offence aforesaid, and shall not within twentie dayes at the furthest, after such persons knowledge of such offence, disclose the same to some Justice of Peace, or other higher Officer: shall bee taken, tried, and iudged, and shall suffer and forfeit as offendors in Dispension of Treason. 23. El. 1. S. Triall 8.

1 The punishment of Iesuits, and Priests, which come into this Realme, and of those which receiue them S. Iesuites.

2 For Bulls, Breues, Faculties, and Dispensations from Rome. S. 28. H. 8. 16.

Sacraments and Service Diuine.

**Unreuerent
speaking a-
gainst the
Sacrament.**

**Common
prayer, and
administration
of Sacra-
ments.**

**The penaltie
for using any
other common
prayer.**

If any person shall by any contemptuous words, depaue, despise, or contemne the Sacrament of the bodie and blood of Christ, or speake against the receiuing thereof, vnder both kinds, or shall aduisedly in any otherwise contemne, despise, or reuile the same, hee shall suffer imprisonment, and make fine at the Kings pleasure. 1. Ed. 6. 1. 1. El. 1. S. Iustice of peace 8.

2 The Booke of Common Prayer and administration of Sacraments, Rites, and Ceremonies, set forth by authoritie of Parliament An. 5. & 6. Ed. 6. (with one alteration or addition of certaine Lessons to be vsed on euerie Sunday in the yeare, and the forme of the Lettanie altered and corrected, and two Sentences onely added in the deliuerie of the Sacrament to the Communicants, and none other, or otherwise) shall stand and be in full force and effect. And all and singular Ministers in any Cathedrall or Parish Church, or other place within this Realme of England, Wales, and the Marches of the same, or other the Queens Dominions, shall bee bound to say and vse the Mattens, Cuen-song, Celebration of the Lords Supper, and Administration of each of the Sacraments, and all their Common and open Prayer, in such order and forme as is mentioned in the said Booke. And if any maner of Parson, Vicar, or other whatsoever Minister, that ought, or should sing or say Common Prayer mentioned in the said Books, or minister the Sacraments, refuse to vse the said Common Prayers, or to minister the Sacraments in such Cathedrall or Parish Church, or other places, as hee should vse to minister the same, in such order and forme as they be mentioned and set forth in the said Booke, or shall wilfully, or obstinately, standing in the same, vse

bie any other rite, ceremonie, order, forme, or manner of celebrating of the Lords Supper, openly or privilie, or patterns, Euen song; Administration of the Sacraments, or other open Prayers then is mentioned and set forth in the said Booke (Open Prayer is meant that Prayer which is for other to come vnto, or heare, either in common Churches, or private Chappels, or Oratories, commonly called the service of the Church) or shall preach, declare, or speake any thing in the derogation or deprauiing of the said Booke, or any thing therein contained, or of any part thereof, and shall bee thereof lawfully conuicted, according to the lawes of this Realme, by verdict of iury men, or by his owne confession, or by the notorious evidence of the fact, shall lose and forfeit to the Queenes Highnesse, her heires and successours, for his first offence, the profit of all his spirituall Benefices or promotions, commencing or arising in one whole yeare next after this conuiction. And also the person so conuicted, shall for the same offence, suffer imprisonment by the space of six monethes, without baile or mainprise. And if any such person once conuict of any offence concerning the premises, shall after his first conuiction either offend, and be thereof in forme aforesaid lawfully conuict: then the same person shall for his second offence suffer imprisonment by the space of one whole yeare, and also shall thereto be deprived; Ipso facto, of all his spirituall promotions. And it shall bee lawfull to all Pastors or Donors of all and singular the same spirituall promotions, or of any of them, to present or collate to the same, as though the person or persons so offending were dead. And if any such person and persons, after he shall be twice conuict in forme aforesaid, shall offend against any of the premises the third time, and shall be thereof in forme aforesaid lawfully conuicted: then the person so offending, and conuicted the third time, shall be deprived Ipso facto, of all his spirituall promotions, and also shall suffer imprisonment during his life. 1. Eliz. 2.

The second offence.

3 And if the person that shall offend, and be conuicted in forme aforesaid concerning any of the premises, shall not be beneficed, nor haue any spirituall promotion: then the same person so offending, and conuict, shall for the first offence suffer imprisonment during one whole yeare, next after his said conuiction, without baile or mainprise. And if any such person, not hauing any spirituall promotion after his first conuiction, shall either offend in any thing concerning the premises, or shall in forme aforesaid be thereof lawfully conuicted: Then the same person shall for his second offence suffer imprisonment during his life. 1. Eliz. 2.

In offenders having no spirituall living.

4 If any person or persons whatsoever, shall in any Enterludes, Playes, Songs, Rymes, or by other open wordes, declare or speake any thing in the derogation, deprauiing, or despising of the same Booke or of any thing therein contained, or any part thereof, or shall by open fact, deed, or by open threatnings, compell or cause, or otherwise procure or maintaine any Pastor, Vicar, or other Minister, in any Cathedral or Parish Church, or in Chappell, or in any other place, to sing or say any Common or open Prayer, or to minister any Sacraments, otherwise or in any other manner and forme, then is mentioned in the said booke, or by any of the said meanes shall unlawfully interrupt, or let any Pastor, Vicar, or other Minister in any Cathedral or Parish Church, or to sing or say Common or open Prayer, or to minister the Sacraments, or any of them, in such manner or form as is mentioned in the said Booke: then euery such person being thereof lawfully conuicted in forme aforesaid, shall forfeit to the Queenes Highnesse, her heires and successours, for the first offence C. Markes. And if any person or persons being once conuict of any such offence either offend against any of the last retited offences, and shall in forme aforesaid be thereof lawfully conuict: then the same person so offending and conuict, shall for the second offence forfeit to the Queenes Highnesse, her heires &c. 400. Markes. And if any person, after he in forme aforesaid, shall haue been twice conuict

Deprauiing the Booke of Common Prayer, or prebiding others.

Sacraments and Service Divine.

vict of any offence concerning any of the last recited offences, shall offend the third time, and be thereof in some abovesaid lawfully convicted: Then every person so offending & convicted, shall for his third offence, forfeit to the *R.* all his goods and cat-tels, & shall suffer imprisonment during his life. And if any person or persons that for his first offence concerning the premises shall be convicted in some abovesaid, do not pay the sum to be paid by vertue of his conviction, in such manner and forme as the same ought to be paid within six weekes next after his conviction: Then every person so convicted, and so not paying the same, shall for the same first offence, in stead of the said summe, suffer imprisonment by the space of viij. moneths, without baile or mainprise. And if any person or persons that for his second offence concerning the premises, shall be convicted in some abovesaid, do not pay the said sum to be paid by vertue of his conviction and this estatute, in such manner and forme as the same ought to be paid, within six weekes next after his said second conviction: Then everie person so convicted, and not so paying the same, shall for the same second offence, in the stead of the said summe, suffer imprisonment during twelve moneths, without baile or mainprise. 1. Eliz. 2.

Every person
shall resort to
the Church.

5 All and every person and persons inhabiting within this Realme, or any other the Duchies dominions, shall diligently and faithfully, having no lawfull or reasonable excuse to be absent, endeavour themselves to resort to their Parish Church or Chappell accustomed, or upon reasonable let thereof, to some small place where Common Prayer and such service of GOD shall be used in such time of let upon everie Sunday, and other daies ordained and used to be kept as Holie daies, and then and there to abide orderly and soberly, during the time of the Common Prayer, preachings, or other service of God, there to be used and ministred, upon paine of punishment by the censures of the Church, and also upon paine that everie person so offending, shall for every such offence xv. s. to be levied by the Churchwardens of the Parish where such offence shall be done, to the use of the poore of the same parish, of the goods, lands, and tenements of such offender, by way distresse. 1. Eliz. 2.

Within what
time the offen-
der shall be
indicted.

6 No person or persons shall be at any time hereafter impeached, or other wise molested, of, or for any the offences aboue mentioned, hereafter to be committed or done contrarie to this act, unless he or they so offending be thereof indicted at the next general Sessions to be holden before the Iustices of Oyer and Terminer, or Iustices of Assise, next after any offence committed or done contrarie to the tenor of this Act. 1. Eliz. 2.

Who may en-
quire of, and
punish the of-
fences.

7 All and everie Iustices of Oyer and determiner, or Iustices of Assise, shall have full power and authoritie in everie of their open and generall Sessions, to enquire, heare, and determine all and all manner of offences, that shall be committed or done contrarie to any Article contained in this present Act, within the limits of the Commission to them directed, and to make Procees for the execution of the same, as they may do against any person being indicted before them of tres-pas, or lawfully convicted thereof. And all and everie Archbishop and Bishop, shall or may at all time and times, at his libertie and pleasure, joyne and associate himselfe by vertue of this Act, to the said Iustices of Oyer and Determiner, or to the said Iustices of Assise, at everie of the said open and generall Sessions to be holden in any place within his Diocesse, for and to the enquire, hearing, and determining of the offences abovesaid. And the Mayor of London, and all other Mayors, Baylives, & other head Officers, of all and singular Cities, Boroughes, and Colones Corporat, within this Realme, Wales, and the Marches of the same, to the which Iustices of Assise doe not commonly repaire, shall have full power to enquire, heare, and determine the Offences abovesaid, and everie of them yearly within xij. dayes after the Feast of Easter, and S. Michell tharch-
angell,

angell, in like manner and forme, as Iustices of Assise and Oyer and determiner may doe. 1. Eliz. 2.

8 All and singular Archbishops and Bishops, and euerie of their Chancel-
lores, Commisaries, Archdeacons, and other D;dinaries, hauing any peculiar
Ecclesiasticall Jurisdiction, shall haue full power and authoritie by vertue of this
Act, as well to enquire in their Visitation, Synodes, and elswhere within their
iurisdiction at any other time and place, to take accusations and informations of
all and euerie the things aboue mentioned, done, committed, or perpetrated,
within the limits of their iurisdiction and authoritie, and to punish the same by
admonition, excommunication, sequestration, or depriuation, and other censures
and ppoes, in like forme as heretofore hath bene vied in like cases by the D. eccle-
siasticall Lawes. 1. Eliz. 2.

9 Whatsoeuer person offending in the premises, shall for their offences first
receiue punishment of the D;dinarie, hauing a Testimoniall thereof vnder the
said D;dinaries seale, he shall not for the same offence eschewes be couided before the
Iustices. And likewise receiuing for the said first offence punishment by the Ju-
stices, he shall not for the same offence eschewes receiue punishment of the D;dina-
rie: any thing to the contrary notwithstanding. 1. Eliz. 2.

But once p-
nished for one
offence.

10 Such ornaments of the Church, and of the Ministers thereof, shall bee re-
teined, and be in vse as was in this Church of England, by authoritie of Parlia-
ment in Anno 2. Ed. 6. untill other order shall be therein taken by the authoritie
of the Quene, with the aduise of her Commissioners appointed and authorized
vnder the great Seale of England for causes Ecclesiasticall, or of the Metropo-
litane of this Realme. And also if there shall happen any contempt or irreuerence
to be vied in the Ceremonies or rites of the Church, by the misusing of the orders
appointed in this Booke: the Q. may by the like aduise of the said Commissioners
or Metropolitane, ordaine and publish such farther Ceremonies or Rites, as may
be most for the advancement of Gods glory, the edifying of his Church, and the due
reuerence of Christs holy Mysteries and Sacraments. 1. Eliz. 2.

11 Every person which shall say or sing Masse, being thereof lawfully con-
uicted, shall forfeit the summe of CC. Markes, and be committed to prison in the
next Gaole, there to remaine by the space of one yeare, and from thenceforth till
he haue paid the same summe of CC. Markes. And euerie person which shall wil-
lingly heare Masse, shall forfeit the sum of C. Markes, and suffer imprisonment for
a yeare. 23. Eliz. 1.

Hearing of
hearing of
Masse.

1 Arresting a Priest which is doing diuine Service. S. Arrests 1.

2 That there shall be a bible, and a booke of Common Prayer in every Parish
Church in Wales, in the Welch tongue, and an other in the English tongue. S.
Wales 125. 126.

3 Diuine Service shall bee said yearly vpon the fift day of Nouember. S. 3.
Iac. 1.

Safeconducts.

If euerie Safeconduce to bee granted to any person or persons, the names of
the owners of the Ships, and of the Passers, and the number of the Parti-
ners, with the cariage of the Ships shall bee expessed, 15. H. 6. 3. And if any Ships
or vessels charged with merchandize, or any Merchants beeing the Kings ene-
mies be taken vpon the Sea by any of the Kings liege people, if the Passers, pos-
sessions, or Merchants of such Ships, &c. haue not within the bowe of their Ships
&c. at the day of the taking of them, the Kings Letters patents of his Safeconduct,
inwrit, or sauegard for such Ships &c. and merchandize, making mention of the
names

what things
be requisite to
make safecon-
ducts effecti-
all.

Safeconducts. Second Deliuernance.

Enrolment of
safeconduct.

Taking of
their ships
which haue
safeconduct.

Restitution to
one hauing a
safeconduct
which is rob-
bed.

names of the ships &c. and of the name of the Master of the same: And the said Letters patents the day of the taking be not inrolled of record in the Chauncerie, then the takers and possessors of the goods and Merchandises may continually enjoy and hold them without making any restitution of the same: 18.H.6.8. And all Letters of safeconduct graunted to any of the kings enemies, or other which be not inrolled of record in the Chauncerie before the deliuerie of them to whom they be granted shalbe void. 20.H.6.1.

2 If any of the Kings Subjects do take any ships of any of the kings enemies loden with merchandize, not hauing nor shewing such letters of safeconduct with in the said ships at the time of the taking of them, and doe lead them away with force to any place within the Realme, they shall not be endammaged for such taking, if they be ready to make restitution of such ships and merchandizes, within reasonable time after notice is given to them of sufficient safeconduct for the same ships and merchandize, inrolled in the Chauncerie of record, before the taking thereof. 20.H.6.1.

3 If any of the Kings Subjects attempt, or offend upon the Sea, or in any port within this Realme under his obedience against any stranger being upon the Sea or in any port aforesaid, by way of amitie, league, or truce, or by force of the Kings safeconduct or safeguard, in any wise, and specially in attaching of any such strange person, robbing or spoiling of him, his ship, or any other goods, or against any other person of his liege people: The Chancelor of England hath authoritie, calling to him any of the Justices of the one Bench or of the other, upon a bill or billes of complaint to him made in this behalf, to make such proces out of the said Chauncerie, as well against all such offenders, to bring them into the Chauncerie, there to answer to the parties so grieved in this behalf, as against any other person or persons, to whose hands, any such person so attached, ship, or goods shall come, as for the deliuerance and restitution by them to be made of the same person, ship, and goods, as shall seme to the same Chancelor most expedient. And upon this processe, the said Chancelor further shall proceed in this matter, if the case doe so require, by aduice of any such Justice, to make the strangers so grieved to haue full restitution of any such person so attached, and of all such ships and goods, and also of all their costs, expences, and losses sustained by them in this behalf, and thereupon to make all manner of execution out of the said Chauncerie in such forme, as shall seme to the said Chancelor most expedient for such deliuerance, and restitution to be had, calling to him any such Justice, as is aforesaid. 31.H.6.4.

1 All Aliens being in amitie with the King, which bring in victuals, shalbe vnder the Kings safeconduct. S. Victuals 2. Merchants 1.

Second Deliuernance.

As soone as returne of the Cattell is awarded to him which did distraine the same, the Sherife shalbe commaunded by a iudiciall writ to make returne of the cattell to the partie which toke the distresse, in which writ it shall be expressed, that the Sherife shall not deliuer them without a writ, making mention of the iudgement given by the Justices, which cannot be without a writ issuing out of the rols of the same Justices, before whom the matter was in suit. And if he which is distrained, doe goe vnto the Justices, & doe desire to haue the same cattell repleued vnto him againe, he shall haue a iudiciall writ, that the Sherife (taking suretie to prosecute the suit, and to returne the Cattell, or their price, if returne be awarded) shall deliuer vnto him his beasts or cattell before returned, and he which distrained, shall be attached to appeare at a certaine day before the Justices, before whom

whom the suit shall be determined in the presence of the parties. And if he which replenied the cattell, do make default againe, or for any other cause, returns of the distresse shall be awarded, now twice replenied, the distresse shall for ever remaine irreplevisable. But if a distresse be taken of new, and for a new cause, the process wised in the Replevin shall be awarded. W.2.13.E.1.2.S.Replevin 2.3.

1 Where the amount in Second Delivrance, shall recover damages and costs. S.Damages 8.

2 Auowry, iustification, or cognisance may be made vpon the land, in Second delivrance, without naming any person certaine. S.Auowrie 1.

Sewers.

Commissions of Sewers &c. shall be directed in all parts within this Realme from time to time for ever (3.E.6.9.) where and when made shall require, according to the forms and effect hereafter ensuing, to such substantiall and indifferent persons as shall be named by the Lord Chauncelloz, and Lord Treasurer of England, and the two chiefe Justices for the time being, or by thre of them, where of the Lord Chauncelloz to be one.

2 James &c. Know ye, that for as much as the wals, ditches, bankes, gutters, sewers, gotes, callies, bridges, streames, and other defences by the coastes of the Seas and Marsh ground, being and lying within the limits of A.B. or C. in the Countie or Counties of L. S. or in the borders or confines of the same, by rage of the Sea, flowing, and refloving, and by meane of the trenches of fresh waters descending and having course by divers waies to the Sea, be so disrupt, lace, rafe, and broken, And also the common passages of ships, balengers & boates, in the rivers, streames, and other flouds within the limits of A.B. or C. in the countie or counties of L. S. or in the borders or confines of the same, by meane of setting up, erecting, and making of streames, milnes, bridges, ponds, fish-garths, mildams, lockes, hebbing weares, hecks and floudgates, or other like lets, impediments, or annoyances be letted and interrupted, so that great and inestimable damage for default of reparation of the said wals, ditches, trenches, sewers, gotes, gutters, callies, bridges, and streames, and also by meane of setting up, erecting, making, and enlarging of the said fish-garths, mildams, lockes, hebbing weares, hecks, floudgates, and other like annoyances in times past hath happened, & yet is to be feared, that farre greater hurt, losse, and dammage is like to ensue, unless that speedie remedie be provided in that behalfe: We therefore, for that by reason of our dignitie and prerogative royall, we be bound to provide for the safetie and preservation of our Realme of England, willing, that speedie remedie be had in the premises, have assigned you, and six of you, of the which, we will that A. B. and C. shall be thre, to be our Justices, to survey the said wals, streames, ditches, bankes, gutters, sewers, gotes, callies, bridges, trenches, milnes, mildams, floudgates, ponds, lockes, hebbing weares, and other impediments, lets, and annoyances aforesaid, and the same cause to be made, corrected, repaired, amended, put downe, or reformed, as cause shall require, after your wisdomes and discretions, and therein as well to ordaine and doe after the forme, tenor, and effect of all singular the Statutes and Ordinances made touching the premises, or any of them, as also to enquire by the oaths of the honest and lawfull men of the said Shire, or Shires, place, or places, where such defaults or annoyances be, as well within Liberties, as without (by whom the truth may the rather be knowne) through whose defaults the said hurts and damages hath happened, and who hath, or holdeth any lands or tenements, or common of pasture, or profit of fishing, or hath or may have any hurt, losse, or disadvantage by any manner of meanes in

The forms of
the Commission
of Sewers.

Reforming of
annoyances.

Inquire by
whose default
the damages
chance.

Sewers.

**Assessing of
the inhabi-
tants.**

**Taking a-
way the impe-
diments.**

**Officers for
the repaire of
annoyances.**

**Taking of
workemen,
and things
necessarie.**

**Ordinances
constituted.**

**Heare & deter-
mine offences.**

**Directing of
writs & pre-
cepts.**

the said places, as well nere to the said dangers, lets and impediments, as inhabiting or dwelling thereabout, by the said wals, ditches, bankes, gutters, goles, sewers, trenches, and other the said impediments and annoyances. And all those persons, and euerie of them, to tare, assesse, charge, distraine, and punish as well within the metes, limits, and bounds of old time accustomed, or otherwise, as elsewhere within our Realme of England, after the quantitie of their lands, tenements, and rents, by the number of acres, and perches, after the rate of euerie persons portion, tenure, or profit, or after the quantitie of their common of pasture, or profit of fishing, or other commodities there, by such waies and meanes, and in such manner and soyme, as to you or 6. of you, whereof the said A. B. and C. to be thre, shall seme most conuenient to be ordained and done, for redress and reformation to be had in the premises. And also to refoyme, repaire, and amend the said wals, ditches, bankes, gutters, sewers, goles, calties, brydges, streames, and other the premises in all places needefull, and the same as often, and where need shall be, to make new. And to cleanse and purge the trenches, sewers, and ditches in all places necessarie. And further, to refoyme, amend, prostrate, and ouerthrow all such mills, streames, ponds, lockes, fish-garths, hebbing weares, and other impediments and annoyances aforesaid, as shall be found by inquisition, or by your surueying and discretions to bee excessive or hurtfull. And also to depute and assigne diligent, faithfull, and true keepers, baylives, surueyors, collectors, expeditors, and other Ministers and Officers, for the safetie, conseruation, reparation, and making of the premises, and euerie of them, and to heare the account of the collectors and other ministers, of, and for the receit and laying out of money, that shall bee leuied and paid, in and about the making, repairing, refoyming, and amending of the said wals, ditches, bankes, gutters, goles, sewers, calties, brydges, streames, trenches, mills, ponds, lockes, fish-garths, floudgates, and other impediments and annoyances aforesaid. And to distraine for the arrerages of euerie such collection, tare or assesse, as often as shall be expedient, or otherwise to punish the debtors and defaultors of the same, by fines, amerciaments, paynes, or other like meanes, after your good discretions, and also to arrest, and take as many carts, horses, oxen, beasts, and other instruments necessarie, and as many workemen and labourers, as for the said workes and reparation shall suffice, paying for the same competent wages, salarie, & stipend in that behalfe. And also to take such, & as many trees, woods, underwoods, & timber, & other necessaries, as for the same workes & reparations shall be sufficient at a reasonable price, by you or six of you (of which we will that A. B. & C. shall be iij.) to be assessed or limited, as well within the limits & bounds aforesaid, as in any other place within the said Countie or Counties, nere vnto the said places. And to make and ordaine statutes, ordinances, and provisions from time to time, as the case shall require, for the safeguard, conseruation, redress, correction, & reformation of the premises, & of euerie of them, & the parties lying to the same necessarie & behoofefull, after the Lawes and Customes of Romney Marsh in the Countie of Kent, or otherwise by any waies or meanes after your owne wisdomes & discretions. And to heare & determine all & singular the premises, as well at our suit, as at the suit of any other whatsoeuer, complaining before you, or 6. of you, whereof A. B. & C. shall be thre, after the Lawes & Customs aforesaid, or otherwise by any other wayes & meanes after your discretions. And also to make & direct all writs, precepts, warrants, or other commendements, by vertue of these presents, to all Sherifes, Bailives & all other Ministers, Officers, & other persons, as well within liberties as without, before you, or 6. of you, whereof the said A. B. and C. to be thre, at certaine daies, termes, and places to be prescribed, to be returned and receiued, and further to continue the proces of the same. And finally to doe all and euerie thing and things as shall be requisite for the

dus

due execution of the premises, by all waies and meanes after your discretions. And therefore we commaund you, that at certaine dayes and places, when and where you, or six of you (whereof the said A. B. and C. to be three) shall thinke expedient, you doe surveye the said waies, fences, ditches, bankes, gutters, gates, sewers, causeyes, ponds, bridges, rivers, streames, water courses, mills, lockes, trenches, fishgarths, sluogates, and other the lets, impediments, and annoyances aforesaid, and accomplish, fulfill, heare, and determine, all and singular the premises in due forme, and to the effect aforesaid, after your good discretions. And all such as you shall find negligent, gains-saying, or rebelling in the said works, reparations, or reformation of the premises, or negligent in the due execution of this our commission, that ye doe compell them by distresses, fines, and amerciaments, or by other punishments, waies, or meanes, which to you, or six of you (whereof the said A. B. and C. shall be three) shall seeme most expedient, for the speedie remedie, redresse, and reformation of the premises, and due execution of the same. And all such things as by you shall be made and ordained in this behalfe, as well within liberties as without, that you do cause the same firmly to be observed, doing therein as to our Justices appertaineth, after the lawes and Stat. of this our Realme, and according to your wisdomes and discretions: Saving alwaies to us such fines and amerciaments, as to us thereof shall belong. And we also commaund our Sheriffe or Sheriffes, of our said Countie or Counties of L. S. that they shall cause to come before you, or six of you (of the which A. B. and C. shall be three) at such dayes & places, as you shall appoint them, such & as many honest men, of his or their Balliwike, as well within the Liberties as without, by whom the troth may best be knowne, to enquire of the premises, Commaunding also all other ministers and Officers, as well within liberties as without, that they and every of them shall be attendant to you, in and about the due execution of this our Commission. In witness &c.

All officers
shall be attend-
ant to the
Commission-
ers of
Sewers.

3 Every such person as shall be named Commissioner in the said Commission, after he hath knowledge thereof, shall effectually put his attendance about the execution of the said Commission, and before he shall take upon him the execution thereof, he shall take a cojporall oath before the Lord Chancellor, or before such to whom the Lord Chancellor shall direct the Kings writ of Dedimus potestatem to take the same, or before the Just. of Peace in the Quarter Sessions holden in the Shire where such Commission shall be directed. The tenor of which Oath hereafter ensueth. 23. H. 8. f.

The Commis-
sioners duties.

4 Ye shall sweare, that you to your cunning, wit, and power, shall truly and indifferently execute the authoritie to you given by this Commission of Sewers, without any favour, affection, corruption, dread, or malice, to be bozne to any manner person or persons: And as the case shall require, ye shall consent and endeavour your selfe for your part to the best of your knowledge and power, to the making of such wholesome, iust, equal, and indifferent lawes and ordinances, as shall be made and devised by the most discret and indifferent number of your felowes being in Commission with you, for the due redresse, reformation, & amendment of all and every such things as are contained and specified in the said Commission. And the same lawes and ordinances to your cunning, wit, and power, cause to be put in due execution, without fauor, meed, dread, malice, or affection, as God you helpe &c. 23. H. 8. f.

The Commis-
sioners oath.

5 The Commissioners named in any of the said Commissions, according to the purport and effect of the same Commissions, have authoritie to make & ordaine lawes, ordinances, and decrees, and further to doe all and euery thing mentioned in the said Commission, according to the purport, effect, words, and true meaning of the same. And the same lawes and ordinances so made, to reforme, repeale, and

The Commis-
sioners autho-
ritie.

How long the
Commissioners
decrees
shall continue.

Commissioners
for the countie
of Glamorgan

The Commis-
sioners decrees
shall bind other
mens lands

The Commis-
sioners decrees
shall bind the
Lands of all other
persons lands

mend, and make new, from time to time, as the cases necessarie shall require in that behalfe. 23. H. 8. 5. And all such lawes, ordinaunces, and constitutions, as be or shall be duly made by force of any such Commission, according to the tenor and effect hereof in any Statute made (before 2. Apr. An. Do. 1571.) touching Commission of Sewers, and being written in parchment indented, & under the seales of the said Commissioners, 6. 8. of them (whereof the one part shall remaine with the Clerke appointed for the Commission of Sewers for the time being, and the other in such place as the same Commissioners, 6. 8. of them shall appoint) shall without any certificat thereof to be made into the Chancery, and without the royall assent to the same had, continue in full force and effect, notwithstanding any determination of any such Commission by Superseades, until such time as the same lawes &c. shall be altered or repealed by the Commissioners after to be assigned for Sewers in those parts where the same lawes &c. were made, or by six of them. 13. Eliz. 9.

6 The said act of 23. H. 8. & all Commissions of Sewers, to be directed according to the tenor of the same, shall extend & give authoritie, that the Commissioners therein named for the Countie of Glamorgan, 6. 8. of them (whereof three to be of the Quorum) shall have full authoritie from time to time to make such lawes, provisions, and decrees within the said Countie of Glamorgan, for the redress, and saving the grounds there from hurt or destruction, by reason of sand rising out of the sea, and given to land by stormes and windes, as they may doe by the said former Act and Commission, for the avoiding of the outrageous course of the sea, and other waters. 1. M. Par. 2. 11.

7 If any person being taxed to any lot or charge, for any Lands, Tenements, or Hereditaments, within the limits of any Commission, do not pay the same, according to the ordinance of the Commissioners, having power of the execution of the said Commission, by reason whereof it shall happen, the said Commissioners for lacke of payment of such lot or charge, to decree & ordain the same lands &c. from the owner thereof and his heires, to any person or persons for terme of yeares, terme of life, in fee simple, or in fee, for payment of the same lot and charge: Then every such decree and ordinance so by them made, ingrooved in parchment, and sealed, shall bind every person, that, at the making of the same decree, had any interest in such lands &c. in use, possession, reversion, or remainder, their heires, and assigns, and every of them. 23. H. 8. 5.

8 The same lawes, ordinaunces, and decrees, made by the said Commissioners 6. 8. of them, by authoritie of the said Commission, shall bind as well the lands, tenements, & hereditaments of the King, as all other persons and their heires, and such their interest as they shall or may have in any lands &c. or other casual commodities whatsoever, whereinto the said lawes &c. shall in any wise extend, according to the true intent of the same lawes. 23. H. 8. 5. And all rents, lots, and summes of money to be rated and taxed by vertue of such Commission of Sewers, upon any the lands &c. of the King, for any thing concerning the articles of the said Commission, shall be gathered & levied by distresse, or otherwise, in like manner as shall or may be done in the lands of any other person. And all bills of acquittance, signed with the hand of such collector or receiver, as shall have the collection thereof, by the appointment of the said Commissioners, 6. 8. of them, shall be as well a sufficient discharge to the tenants, farmers, & occupiers of the same grounds, so to be charged for the said summe, wherewith their ground shall be so charged, as also a sufficient warrant to every receiver, and his, & other whatsoever officer of the King &c. for the allowance to such tenant &c. for the same. 3. E. 6. 8.

9 No person shall be compelled to be sworn, or otherwise bound to sit or travell in the execution of any Commission of Sewers, unless he be dwelling within the Countie,

Countie, wherof he shall be assigned to be Commissioner. 25. H. 8. 10.

10 If any person assigned to be such Commissioner of Sewers, being required by such as shall have authoritie by the R. writ, or otherwise, to receiue the oath asforesaid, both refuse to take the same oath, or upon that request made, both not receiue the same, and that refusal or contempt be done in the Chauncerie, or returned into the Chauncerie with the said writ, hee shall forfeit for the same contempt to the King v. markes. And so to lose from time to time v. markes for every such contempt, as shall be done or returned into the said Chauncerie against any such person, vntlesse that hee in the same Chauncerie doe shew in the said terme wherein such returne shall be made, sufficient cause to bee allowed by the Lord Chauncello: for his excuse in that behalfe. 25. H. 8. 10.

Commissioners shall be sworn within the same Countie. Refusal to take the oath.

11 If any person do take upon him to sit by vertue of any of the said Commissions, not being before sworn in forme as is aforesaid, and according to the tenor of the oath before specified: or if any person so named & sworn, doe sit, not hauing lands and tenements, or other hereditaments in fee simple, for taile, or for terme of life, to the cleere yearely value of 40. markes, above all charges, to his owne vse (except he be resident & free of any citie, borough, or towne corporate, & haue moueable substance of the cleere value of 100. l. or els be learned in the Lawes of this Realme, and admitted in one of the 4. principall Innnes of Court for an utter barrister) he shall forfeit 40. l. for every time that he shall attempt so to doe, to the R. and I. to be recovered by R. J. 4c. wherein no W. 4c. C. or P. 23. H. 8. 5.

None shall sit except he be sworn. Of what liuing or degree every Commissioner ought to be.

12 No farmor for terme of yeares, of any lands or tenements lying within the precincts of any such Commission of Sewers, which be or hereafter may be ordered and chargeable by any ordinances or constitutions made or to be made, by vertue of any such Commission, wherein he shall be appointed Commissioner, (not hauing estate of freehold within the Realme of England, in lands or tenements of the yearely value of 1. l.) shall haue power to sit, or in any wise intermeddle with the execution of such Commission, during y time that he shall continue farmor of any such lands, & shall not haue estate of freehold, as is aforesaid: But every such Commission, as hauing respect only to every such person, for such and so long time as he shall so continue farmor of any such lands, shall be adiudged in law to be void, any thing in the said Commission, or any statute &c. notwithstanding. But it shall be lawfull for any Commissioner, being also a farmor, and not hauing lands &c. to the cleere yearely value of 1. l. of freehold, to sit by vertue of the said Commission, and haue his voice and full authoritie with others to make and establish ordinances for Sewers, according to the tenor of the Commission, concerning all lands and tenements within the precinct of every such Commission, other then such lands &c. as he for the time being shall hold and enioy as farmor, as he might haue done before the making of this Statute. 11. Eliz. 9.

A farmor of lands chargeable shall not be Commissioner within the same precinct.

13 If any action of trespass, or other suit shall be attempted against any person for taking of any distresse, or any other act doing, by authoritie of the said Commission, or by authoritie of any Lawes or Ordinances made by vertue of the same, the defendant therein shall and may make auowise, cognisance, or iustificacion for the taking of the same distresse, or other Act doing, touching any of the premisses, alleadging therein, that the said distresse, trespass, or other Act, whereof the plaintife complaineth, was done by authoritie of the Commission of Sewers, for lot or tape assessed by the said Commission, or for such other act or cause, as the said defendant did by authoritie of the said Commission, and according to the tenor, purport, & effect of the act made 23. H. 8. without any rebursal of any other matter contained in the said Act, or any Commission, Statutes, or Ordinances thereupon made, whereupon the plaintife shall be admitted to reple, that the defendant did take the said distresse, or did any other act or trespass supposed in his declaration of his owne

Justification of a distresse taken by reason of the Commission of Sewers.

Sewers.

Damages for
the defendant.

The Com-
missioners &
Clerke was
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No certificat
of the Com-
mission of
Sewers.

How long the
Commission
shall continue.

Just. of P in
some case shall
execute the
Commission
of Sewers.

Wrong, without any such cause alleged by the said defendant, whereupon the issue in every such action shall be joined, to be tried by verdict of xij. men, & not otherwise, as is accustomed in other personall actions. And upon the trial of the issue, the whole matter shall be given on both parties in evidence; according to the truth of the same. And after such issue tried for the defendant, or nonsuit of the plaintiff after appearance, the said def. shall recover treble damages by reason of his wrongfull veration in that behalfe, with his costs also in that part sustained; and that to be assessed by the same Jury; or writ to enquire of damages, as the case shall require, 23. H. 8. 5.

14 Every of the said Commissioners shall have iij. s. for every day that they shall take pain in the execution of this Commission of Sewers, And one Clerke by them assigned y. s. for every day, of the rates, taxes, lots, & waives that shal be assessed or lost, by authority, of the said Commission, and to be levied and paid by their discretions. And the said Commissioners or six of them, shall have authority to assigne of the same rates &c. such reasonable summes of money to the said Clerke for writing of bookes, and proces, concerning the premises, and to the Collectors, Expenditors, and such other as shall take paine in the due execution of the said Commission, as by the said Commissioners, or six of them shall be thought reasonable. 23. H. 8. 5.

15 The said Commissioners shall not be compelled to make any certificat or returne of any the sayd Commissions, or of any their ordinances, lawes, or doings, by the authoritie of any the sayd Commissions. Nor shall have any fine, paine, or amerciamment, set vpon any of them, or any wayes be molested for that cause. But the Clerke appointed for any such Commission, shall yearly truly extreat all the issues, fines, penalties, forfeitures and amerciaments, that shall be answerable to the D. &c. And the same extreats shall yearly deliver into the Exchequer, at such time, and in such manner, as Justices of the Peace ought to doe, by vertue of their Commission, vpon paine to forf. to the Ducene &c. for every default fine pounds. 13. Eliz. 9.

16 Every Commission of Sewers shall continue in force x. yeares, next ensuing the date thereof, unless the same shall bee repealed or determined by reason of any new Commission in that behalfe made, or by Superseades, (for the King shall at his pleasure by his writ of Superseades out of his Chancery at any time discharge as well every such Commission, as every Commissioner &c. 23. H. 8. 5.) And at all times after the end of tenen yeares next ensuing the date of Teste of any Commission of Sewers, all such lawes, ordinances, and constitutions, as were made by vertue of any such Commission, and written in parchment, indented, and sealed (without certificat thereof, or the assent Royall to the same had, as is aforesaid) shall notwithstanding the determination of any such Commission, by the expiration of the terme of ten yeares, likewise continue in force by the space of one whole yeare then next ensuing. And the Justices of peace of the Shire and Shires where the same lawes, ordinances, and constitutions are to bee executed within their severall Commissions and limits, or sixe of them (whereof two to be of the Quorum) shall have authoritie by the space of one whole yeares next after the expiration of every such Commission to execute the same lawes, ordinances, and constitutions, and every of them, in as ample manner as the Commissioners appointed in any Commission so expired, might, or should have done, to all intents, as if the said Commission had continued in force. But if any new Commission of Sewers shall be made within the said yeare, then immediately from and after such Commission newly made and published, the power of the said Justices of the peace, and every of them in any wise concerning the execution of any such lawes, ordinances, and constitutions of Sewers shall utterly cease. 13. El. 9.

17 As often as such Commission shall bee directed to any persons for the refoz-
 mation of, or in any of the premises specified in the said Commission, within the
 fees, liberties, or possession of the Duchie of Lancaster: Then such Commis-
 sioners as shall execute the same, shall be appointed by the Lord Chauncelloz, & Lord
 Treasozer of England, and the said two chiefe Justices of either Bench, and the
 Chauncelloz of the said Duchie, for the time being, or three of them, whereof the
 said Lord Chauncelloz, and the Chauncelloz of the said Duchie to be two. And in
 euerie such case two Commissions shall bee awarded, according to the tenor of the
 Commission aboue expressed, one thereof vnder the great Seale of England, and
 the other vnder the Seale of the same Duchie. And as often as such Commission
 shall bee directed to any persons for the amendment of, or in any of the premises
 specified in the said Commission, within the fees, liberties, and possessions of the
 principalltie of Wales, the Countie Palantine of Chester, or within the fees, li-
 berties, and possessions of any other place, where there is libertie and iurisdiction
 of Countie Palantine: In euerie such case two Commissions shall bee awarded
 according to the tenor of the Commission aboue expressed, one thereof vnder the
 great Seale of England, and the other vnder the usuall Seale of the Countie Pa-
 lantine, in manner and forme, as is aboue provided for the Duchie of Lancaster.
 23. H. 8. 5.

Commission
 within the
 Duchie of
 Lancaster.

Seales.
 Chester.

18 The Chauncelloz, and such other as shall haue the custodie of the Seales of
 the said principalltie of Wales, or the Countie Palantine of Chester, or within
 the fees, liberties, and possessions of any other place, where there is libertie and iur-
 isdiction of Countie Palantine, vpon reasonable request, and vpon the sight of the
 Commission vnder the great Seale, shall without delay make out another Com-
 mission vnder the Seale of the said Countie Palantine, according to the tenor of
 the Antient Commission to them shewed vnder the great Seale, and to those Com-
 missioners as shall be named by the Lord Chauncelloz, L. Treasozer, and the two
 chiefe Just. or by three of them, whereof &c. (except it be within the fees, & liberties of
 the Duchie of Lancaster) within which fees and liberties the Commissioners shall
 be named, and Commissions made as is before ordained. 23. H. 8. 5.

Commissions
 in Wales, &
 Countie
 Palantine.

19 The said Commission from time to time, as the case shall require, shall bee
 obtained without any money, or other charge to bee paid for the seales or writing
 of the same, vnlesse it be to the King y. s. vi. s. for the seale of euery Commission, and
 for the writing and inrolling of any one Commission v. s. and not aboue. 23. H. 8. 5.
 And such & like fees, and none other, nor moze shall be at any time paid or demanded
 for any Commissions, and writs of Dedimus potestatem, to bee sued out vnder the
 seale of the Duchie, as be mentioned in the said former Act, to be paid in the Chaun-
 cerie for Commissions and Writs of Dedimus potestatem, to bee obtained from
 thence &c. 3. E. 6. 8. S. Weares.

The fees for
 Commissions

20 The walles, ditches, bankes, gutters, sewers, gotes, causeies, bridges,
 streames, and watercourses, within the limits of two miles, of and from the citie
 of London, which waters haue their course, & fall into the riuer of Thames, shall
 from henceforth be to all intents & purposes as fully subiect to the Commission of
 Sewers, and to all the Stat. made for Sewers, & to all penalties in the same Stat.
 & in euery of them contained, as if the same places nere to the said citie of London
 had been particularly named in the said Stat. of Sewers, or that there the water had
 ebbed and flowed, and therein free passage with boats and barges to the sea had bin
 heretofore used. Any thing in the said Stat. or elsewhere, to the contrarie in any wise
 notwithstanding. 3. Jac. 14.

Watercourses
 nere to Lon-
 don.

21 Whereas all, or some part of the Parishes Low and flat grounds, and some
 part of the arable, pasture and vpland of the Townes and Parishes hereafter na-
 med, are already by now breaches, and washing and breaking downe of the Cliffs,
 and

Sewers.

The names
of the townes
and parishes
annoyed by the
Sea,

and higher grounds lying betwene the Sea and the Islands greatly annoyed and generally endangered, or like to be endangered, What is to say, the Townes and Parishes of Martonham, Walling, Eccles, Hempsford, Ingham, Wickling, Hoxley, Potter, Higham, Catfield, Ludham, Winterton, East Somerton, West Somerton, Partnam, Bastwick, Repps, Thorne, Dby, Stipsbey, Billockby, Wood, East Wickhorning, Kantworth, Southwaltham, Upton, Fiskley, Acle, Catto, Saint Edmunds, Catto, Paltbey, Kymham, Haringby, Bozough, Stokesby, Burton, Hoxstead, Worham, Sallowes, Poston, Belowe, Coltsell, Hobbins, Lammes, Petishead, Barton, Sutton, Stalham, Lunfell, Waluergate, Wickhamton, Thorpe, Redham, Limpenholme, Cantley, Wallingham, Buckenham-Ferrie, Strumfell, Brundell, Postwick, Thorpe iuxta Norwich, Thurlton, Poston, Hardley, Langley, Carlton, Clarton, Kackland, Durlingham, Bainercton, Wicklingham, Trowse, Carrowe, Haddesfowe, Whiteacre-Bozough, Whiteacre-Abby, Gellingham, in the Countie of Norfolk: And Gyleston, Capton, Bradwell, Bozough-Castle, Berkelesse, Balsam, Worlingham, Belton, Fretton, Saint Colies alias Saint Olives, Herringfleet, Somerley-Towne, Shepton, Wilton, Birkley and Barkley, in the Countie of Suffolke. For remedy therefore of so great and generall calamitie, Be it enacted etc. That the Lord Chauncelor of England, or Lord Keeper etc. shall from time to time upon suit made to him in that behalfe, award Commissions under the great Seale of England to the Lord Bishop of the Diocese of Norwich for the time being; and to any Eleuen or moze Justices of the Peace of the said Countie of Norfolk, and six or moze Justices of Peace of the said Countie of Suffolke, as to him shall seeme good. And if there shall then be no Bishop of the said Diocese, then to such other as aforesaid, onely after such tenor and effect as hereafter followeth, that is to say: Rex &c.

A Commission
shall be awarded
to inquire
of present &
reforme des
faults.

The forme of
the commission.

Reverendo in Christo Patri A. Episcopo Norwic. necnon A. B. C. D. salutem Sciatis, quod assignavimus vos & quoslibet, sex siue plures vestrum ad omnia & singula superiudenda, perlustranda, mandanda, facienda, performanda, exequenda, & peragenda, in quodam actu in Parlamento Domini Iacobi Dei gratia Regis Angliz, &c. nono die Februarij, Anno Regni sui Angliz, Franciz & Hiberniz septimo, & Scotiz quadragesimo tertio, per diversus prorogaciones apud Westminsterium tento, edito, intitulato, An Act for the speedie recoverie of many thousand Acres of Marsh grounds, and other grounds within the Counties of Norfolk and Suffolke, lately surrounded by the Sea in divers parts of the said Counties, and for the prevention of the danger of like Surrounding hereafter, Specificata, secundum tenorem vim formam effectum & veram intentionem eiusdem Actus. In cuius rei testimonium &c. Teste &c. 7. Jac. 20.

The Com-
missioners au-
thoritie.

22 The same Commissioners to whom such Commissions shall bee directed, or any six or moze of them by vertue of the same Commission, and of this present Act, shall have full power and authoritie to view, see, and survey the said lands and grounds so surrounded, decayed, and overflowed within the aforesaid townes and parishes in the said Counties of Norfolk and Suffolke or either of them, and the places and breaches betwene the Townes of great Parmonth, and Pappishbroowe, where the said overflowings, breaches, or decayes are now happened, or that or may hereafter happen, As also all other places of danger within the limits aforesaid, where the like breaches and decayes hereafter shall or may happen, And to enquire by the Oaths of good and lawfull men of the said countie or counties aswell within Liberties as without, and by their othe viewe and indgement, and by all other good waies and meanes, wherby the truth may bee discerned or knowne, if any certaine person or persons ought to sustaine or repaire the same, and by whose default or by what meanes the said breaches, decayes & overflowings of the Sea haue happened, And who hath or holdeth any Lands, Meadows, Marshes, Low grounds

To inquire by
whose default
the overflow-
ings hapned
& who ought
to repaire the.

grounds, pasture of pasture, profit of fishing, or any other benefit or commoditie in the Townes and Parishes aforesaid: wherein he or they by the said Breaches, decayes and overflowings already made, or by any other breaches decayes or overflowings hereafter to be made by any manner of meanes hath already received, or may or do hereafter receive any loss, prejudice, hurt, or damage. And all those persons, & some of them, the said losses, & decayes, & other losses, & other the premises lying within any the parishes or townes aforesaid, subject to overflowings, danger or decay, as aforesaid, to Ware, Rate, Rents and Charges and such summe and summes of money, aswell for the present repaire of the said breaches and decayes already made, and hereafter to be made, as for the repaire, erecting, and repairing of the Wharves, grounds and lencels, by the same now or hereafter to be made, decayed, surrounded, or annoyed, or in danger to be drowned, Decayed, Surrounded, or Annoyed: As also for the making and erecting, keeping and maintaining of Dikes, Wallles, Jettes, Piles, Strengthenings, fortifications, bulwarks and other things whatsoever to withstand and breake the rage and violent boating of the Sea, the rebus to prevent the like breaches, decayes and overflowings hereafter, or for all or any of the said purposes, in such sort as to them, or any of or more of them in their discretions shall be thought fit and necessarie, having respect in proportioning of the laying or assessing as aforesaid aswell to the then present losse and danger, as to the future losse and danger that the same person or persons, ground, or grounds, and other the premises, did, shall, and may sustaine and beare by reason of the said breaches, decayes and Overflowings: and that the said Commissioners, or any of or more of them, shall & may make and appoint diligent & faithfull Surveyors, Collectors, Receivers, Treasurers, Expeditors, Balliffs, and such other Officers, and Officers, as they shall thinke fit, to surveye the said woorkes, and to levie, receive, & lay out the money to be levied, and expended in and about the same: And to doe and execute whatsoever shall be needful and expedient to be done therein, according to the direction and orders to be from time to time prescribed by the said Commissioners, or any of or more of them as aforesaid: And also within the said Counties of Norfolk & Suffolk, or either of them (except in that part of the said County of Norfolk commonly called Parthland, & the hundred of Feberdige in Parthland) to take workemen, labourers, carts and Carriages, Timber, Wood, and all other stufte and necessaries for the effecting and performance of the said woorkes for reasonable wages and prices to be set by the said Commissioners, or any of or more of them according to their good discretions: Provided always that they shall not take any timber, or wood of any trees, growing or being in or about any orchard or garden, or within two furlongs of the site of any mansion or dwelling house wherunto it belongs. 7. Jac. 28. And also if shall and may be lawfull to the said Commissioners or any of or more of them, by warrant under their or any of or more of their hands and Seales, to commit to the common Gaole of the said Countie respectively, all such workemen and Labourers, and Owners, possessors of Carts, Horses, or Carriages, as being commaimded or required by warrant from the said Commissioners, or any of or more of them, to worke, or serve in the said woorkes, having such convenient and reasonable hire and wages as shall be set by the said Commissioners, or any of or more of them, paid or tendered unto them as aforesaid, & likewise all such as shall resist, or withstand the taking of any timber, wood, or other stufte or necessaries appointed as aforesaid, to be taken for the effecting & performing of the said woorkes, having such convenient and reasonable prices, as shall be set by the said Commissioners, or any of or more of them paid or tendered to them, as aforesaid, there to remain by the space of a monthes without baile or mainprise: And also to punish the said workemen & labourers, owners & possessors of Carts, Horses, & Carriages, & Resistors, &

To take the persons and lands charged able.

Appointing Officers to execute that which shall be needfull.

To take workemen & stufte for the performance of the said woorkes.

Punishment of such as be disobedient in their labour, carriages, or for the taking of their timber.

with

Sewers.

withstanders to take stufte, wood, or timber for refusing or not doing, or withstanding as aforesaid, by imposing upon them, or any of them such reasonable and competent fines, or amerciaments, as the said Commissioners any six or more of them, shall in their wisdoms thinke fit: which fines and amerciaments shall by authoritie hereof be levied by distresse, and sale of the goods of such offenders, and for default thereof, he or they to be by warrant under the hands and seales of the said Commissioners, or any six or more of them, committed to the common Gaole of the said Countie, there to remaine untill they shall paie the same. 7. Jac. 20.

The Commissioners may authorize others to levy the money assessed.

Imprisonment for default of distress.

If the lessee of the land charged do pay the sum taxed, how much thereof he may abate of the lessors rent.

The Commissioners may make orders for preservation of the grounds and also amend the same. The Commissioners may impose penalties upon such as shall break their orders.

24 It shall and may be lawfull for the said Commissioners, or any six or more of them, as aforesaid, by warrant under their hands and seales to give authoritie, to any person or persons to levie the said summes of money by them from time to time to be assessed upon the said persons, or upon the said lands, meadows, marshes, lowe grounds, or other the premises charged or chargeable with the same by distresse and sale of the goods of such person or persons, that shall not pay, or refuse to pay the same, and the overplus of the value rising upon such sale shall redde to the said owner of the same. And in default of such distresse to be taken and sold, it shall and may be lawfull to the said Commissioners or any six or more of them as aforesaid to commit him or them so not paying, or refusing to pay the same, to the common Gaole of the said Countie, there to remaine without baile or mainprise, untill they shall willingly pay the said summes or summes of money so taxed, rated, or assessed by him, or them to be paid as aforesaid. 7. Jac. 20.

25 If it shall happen, that any the said grounds, or other things so drowned, decayed, or endamaged, or in danger to be drowned, decayed, or endamaged by the said decayes and breaches past, or to come, shall be in the hands of lessors or farmors under a rent, then in such cases, what part soever of the charge shall be set upon the persons, to whom such rents shall be to be paid, or upon the lands so holden in farms or lease, if the same be levied upon the occupier, farmer or lessee, he shall or may retaine so much of his said rent in satisfaction thereof, as by the said Commissioners or any 6. or more of them in writing under their hands and seales, shall in their discretions be set downe and declared; having respect unto the length or shortnesse of his terme, and the great or small rent that he is to pay for the same: Which Retainer shall be a sufficient discharge against the said lessors, & every of them, their heires, successors, and assignes, for and concerning the same rent, that shall be so retained, and of and for all other paines, penalties, and forfeitures for not payment thereof. Provided alwaies that the said lessors, farmors, and every of them, shall pay and satisfie the residue which shall not be retained by vertue of this act, & order of the said Commissioners, under such paines, penalties, & forfeitures, as they should or ought to have paid the same, as if this act, or any such order had not bin had or made. 7. 1. 20.

26 The said Commissioners, or any six or more of them shall have power and authority by vertue of this act from time to time to make, declare, and set downe lawes, ordinances, decrees, & provisions, for the safeguard, preservation, and safe keeping of the Cliffs & high grounds, lying betwixen the Sea & the said Inlands within the limits aforesaid, from the rage & violence of the sea, & from the breaches, decayes, flowings & overflowings thereof, & for the defending, drying, & draining alwaie of the waters, that shall or may overflow, or hurt the lands, pastures, or marshes, in the towns, & parishes aforesaid, or any of them, & the said lawes, ordinances, decrees, & provisions, from time to time to repeale, refoyme, or amend, as occasion shall serue and require. Which lawes, ordinances, decrees, & provisions, so made & declared (so long as they shall remaine in force) shall be well and truly observed, performed & kept by all such to whom they shall concerne, or to whom they shall appertain. And the said commissioners or any six or more of them, shall and may set & impose such reasonable and competent paines, penalties & forfeitures, upon such person

person and persons, as shall willingly or wilfully breake or not obey, observe and performe the said lawes, ordinances, decrees, and provisions, as they shall thinke convenient. And the said paines, penalties, and forfeitures, so set and imposed, shall be leuied by distresse, and sale of any of the offenders goods, or imprisonment in such sort, as any other summe or summes of money, leuyable by this act, shall or may be had or leuyed, and the surplusage arising of such sales, shall be restored to the owner.

7. Jac. 20.

27 All and singular fines, paines, penalties, forfeitures, and summes of money to be set, imposed, paid or leuyed by vertue of this act, shall be employed in and about the making, repairing, fortifying, and strengthening of the said Cliffs and higher grounds, lying betwene the sea and the said Inlands, within the limits aforesaid, and for the drying of the waters that shall flow into the said lands, pastures, and marshes in the towne and parishes aforesaid, and to none other use whatsoeuer. Saving that it shall be lawfull to the said Commissioners or any 6. or moze of them out of the same to allowe to euery of themselves, for euery day that they shall sit or trauell about the execution of the premises the summe of foure shillings apiece: And to the Collectors, Suruisors, Receiuors, Treasurers, Expenditors, Bailiffs and other Officers and Ministers, which shall be employed in & about the premises, such reasonable allowance, as to the said Commissioners or any six or moze of them, in their discretions shall be thought reasonable. 7. Jac. 20.

How the penalties and forfeitures shall be employed.

28 The said Commissioners or any six or moze of them, shall and may rate, tax, and asseesse, all such person and persons as be tenants, farmers, or Occupiers, of any Hamlets, Lands or Tenements, Commons or other profits or Hereditaments of our Soueraigne Lord the King, his heires or successors, within the towne & parishes aforesaid, to paie and contribute, for & towards the Jetties, Walls, and other the premises aforesaid, as far as any other, according to their good discretions. And the said lawes, ordinances, decrees, orders & provisions to be made & ordained by the said Commissioners, or any six or moze of them, in or about any thing touching or concerning the premises, shall bind aswell the Lands, Tenements & Hereditaments of our said Soueraigne Lord the King his heires and successors, and his and their Tenants, farmers and Lessees as aforesaid, as all & euery other person and persons, and their heires, for such their interest, as they shall fortune to haue in any Lands, Tenements, Hereditaments, or other profit, aduantage or Commoditie whatsoeuer they shall be, whereunto the said Lawes, Ordinances, Decrees, Orders, and Provisions shall in any sort extend according to the true purport, meaning and intent thereof. 7. Jac. 20.

Allowance to the Commissioners and other officers for their paines.

The Commissioners may asseesse the farmers of any lands to be contributed to.

The Commissioners shall bind the Lands all other persons lands.

29 In case where any Warrant or Precept shall be made or directed to any Officer or Minister, to leuie the said summes of money of any the said person or persons aforesaid, or to take his or their bodie or bodies, or both of them, as the case shall require, if such Officer or Minister shall make returne to the said Commissioners, or any six or moze of them, that there are not found goods sufficient of the person or persons, who shall be taxed or charged, or whose Lands, Meadows, Pastures, or other the premises shall be rated, taxed or asseessed with the payment of any summe of money as aforesaid, by distresse and sale whereof, the said summes of money to be taxed, rated and asseessed, may be leuied in such of the said Counties of Suffolke or Suffolke, wherein the Grounds, Meadows, Pastures, or other the premises, for or in respect whereof, such tax or charge shall be made, shall lie or be, nor that the bodie of such person or persons can be found in that countie: Then the said Commissioners, or any six or moze of them, shall and may from time to time make warrants vnder their hands and Seales vnto the Sherifes of the said counties of Suffolke or Suffolke on which the said Lands, Meadows, Pastures, or other the premises, for or in respect whereof the said Tax or charge was made as aforesaid, to

A remede where the partie taxed hath not sufficient goods nor his body be found within that countie.

Sewers.

In what case
the Commis-
sioners may sell
or let to farme
the land of the
parish taxed.

It reliefe for
the offendor
paying the
money assess-
ed and the pe-
nalties impos-
ed upon him.

to be directed, therby commmanding the said Sherife in the next countie court, to be holden after the deliuey of such warrant, openly by proclamation, to cal such person or persons, & to commaund him or them to render him or themselves to the said Sherife, at or before the next County court after such proclamation made to be holden, or at or before the said next court, to deliuer vnto the said Sherife such sum or sums of money as he or they shalbe charged with-all, or ought to pay as aforesaid: And if the said person or persons shal after the said proclamations, & before the said next County Court, pay the said sum or sums of money vnto the said Sherife, then the said Sherife shall pay ouer the same vnto the said Commissioners, or any six or more of them: And if the said person or persons shall render him, or themselves before the said next Countie Court, then the said Sherife shall keepe, and detaine him or them in prison, in the common Gaole of the said Countie in such sort as is before appointed by vertue of this Act, for non payment of any Rate, Tax, or Summe of money: And if the same person or persons shall not vpon such proclamation, render him or themselves, or deliuer such summe or sums of money as aforesaid, at or before the said next Countie Court, in euerie such case the said Commissioners, or any six or more of them shall from thenceforth haue full power and authoritie, and shall and may by vertue of this Act, sell, graunt, or demise, the Lands, Meadowes, Pastures, and other the premises so rated, charged, taxed, or assessed with the payment of any summe or summes of money as aforesaid, or such part thereof, and for such Estate as the said Commissioners or any six or more of them shall see good, and for the best and highest prices that they can get for the same, to any person or persons that will buy or take the same, and to their heires or otherwise, by deed indented, to be made betwene the said Commissioners, or any six or more of them, and the said purchasers, and to be acknowledged and enrolled within the Countie, where the said Lands, Meadowes, Pastures and other the premises so to be sold, graunted or demised doe lie, before two Iustices of the Peace of the said Countie, whereof one to be of the Quorum and the Clerks of the Peace of the same County: Vpon which said sale, graunt, or demise, the said Commissioners or any six or more of them, shall and may by vertue of this Act, take and retaine to the vles and for the purposes aforesaid, so much as shall amount vnto the Summe and Summes that shall be rated, taxed, or assessed and not paid as aforesaid: And if there shall be any remaine vpon such sale, the same shall restozed to the Owner or Owners of the Lands so sold, graunted or demised: And all and euery such sale, graunt and demise so made, shall be good and effectuell to all and euery purchaser and purchasers, his and their heires and assignes, according to the purpozt and effect thereof: and the said purchasers their heires and assignes, shall and may by vertue thereof, and of this Act, haue, hold, and enioy the same against the said person and persons, for whose default, neglect, or offence, the same were sold, graunted or demised, and against his heires, and against all and enery person and persons, that shall stand or be seised or possessed thereof, to the vls or behoef of such person or persons, or in trust for them, or to the intent that the same shall remaine or be at the disposall of the said person or persons. Provided alwaies, that if the said person or persons who shall haue made such default of payment, or rendring of him or themselves, shall at any time before such sale made, paid, or cause to be payed to the said Commissioners, or any six or more of them, the said Summes of money and all paines and penalties before that time set or imposed vpon him or them by force of the said Commission and of this Act, and then not payed or satisfied, that then it shall not bee lawfull for the said Com-

said Commissioners or any of them, for or in respect of such default shall make sale of any of his or their said Lands or Premises, any thing in this Act contained to the contrary thereof in any wise notwithstanding: Having to all other person and persons, bodies politike or corporate, their Heires and Successors, Executors and Assignes, all such Right, Title, Estate, Interest, and Demand, as they or any of them had, or should or ought to have, of, in, to, or out of any such Lands, Meadows, Pastures, and other the Premises so to be sold, graunted, or demised as aforesaid, as if no such sale, graunt or demise had ever been had or made, any thing in this present Act contained to the contrary in any wise notwithstanding. 7. Jac. 20.

30 The Sherifes of the said Counties of Norfolk and Suffolke, and either of them, shall cause to come before the said Commissioners, or any five or more of them, at such times and places, as the said Commissioners, or any five or more of them, shall appoint such and so many good men of their severall Bayliwicks as well within Liberties as without, to whom the trueth may be best known to enquire of the Premises mentioned in this Act, which men for their severall defaults, shall lose and forfeit such Fines and Summes of Money, not exceeding the Summe of tenne Shillings of lawfull Money of England, for one default, as by the said Commissioners, or any five or more of them, shall be set or imposed upon them, which shall and may be leuied by distresse, and sale of goods onely: And for refusing to make enquire, and for other contempts, shall forfeit and lose such reasonable Fines, and Summes of Money, as by the said Commissioners, or any five or more of them, shall be imposed upon them, which shall and may be leuied by distresse, sale of goods and imprisonment, in such manner and forme, as for the leuying of the summes of money to be rated, taxed, or assessed, is before limited and appointed. And all Sherifes, Bailifes, Officers and Ministers whatsoever of our Soueraigne Lord the King his heires and successors within the counties aforesaid, as well within liberties as without, shall be from time to time attendant, aiding, and assisting, to the said Commissioners, and euerie five or more of them, for and concerning all such things, as shall concerne their severall Offices and places respectiue, in or about the execution of all things contained in this Act: Upon paine to forfeit such paines, penalties, fines, and summes of money, as shall be set or imposed upon them, or any of them by the said Commissioners, or any five or more of them, for or in respect of their, or any of their Contempts, Negligences in that behalfe, which said paines, penalties, fines and summes of Money shall and may be leuied by Distresse, sale of goods and imprisonment, as the said Summes before mentioned to be rated, rated, or assessed, are appointed to be leuied: And the said Fines, paines, penalties, fines and summes of Money, set or imposed upon the said good men, Sherifes, Bailifes, Officers, and other Ministers shall be employed and disposed of, in such manner and forme, as the said Summes to be rated, rated or assessed, are before appointed to be employed and disposed of. 7. Jac. 20.

31 The said Commissioners or any five or more of them, shall haue power and authoritie by force and vertue of this Act to call before them or any five or more of them, the Collectors, Receiuours, Treasurers, Expeditors, Baylifes and other Officers and Ministers which shall be employed, or haue dealing in, and about the said workes, or any other thing concerning this Act, or the execution thereof in any sort, and to require and take of them, and euerie of them accompts by or their Othes, of all their, and euerie of their Receipts, Collections, Payments, Disbursements and other doings concerning the same. And if the said Collectors, Receiuours, Treasurers, Expeditors, Baylifes, or any other the Officers and Ministers aforesaid, shall happen to be found in arerages either

Shewing of
the right of
others.

The Sherifes
of Norfolk &
Suffolke shall
returne Ju-
ries before the
Commissioners

Fines for by
Juries & how
they shall be
leuied.

All Sherifes &
officers shall
attend & aide
the Commission-
ers.

How the fi-
nes & penali-
ties shall be em-
ployed.

The Com-
missioners
may take ac-
count of in-
ter Officers.

Sewers.

in monies or materials, received, or otherwise, then in such case they shall make payment, and give satisfaction in that behalfe, according to such order and direction, as by the said Commissioners or any five or more of them, in writing under their hands and seales, shall be made and set downe: And in default of performance thereof, such Officers and Ministers shall be by Warrant under the hands and seales of the said Commissioners or any five or more of them, distrained by their goods and chattells, and the same to be sold as aforesaid: And in default of such Distresse to be found, it shall be lawfull for the said Commissioners or any five or more of them, to commit such Offenders or Offenders to the common Gaole of the said Countie, there to remaine untill they have paid all such Arerages and summes of Money, and other things so found to be remaining in their hands, according to the order of the said Commissioners, or any five or more of them, to be made as aforesaid. 7. Jac. 20.

I reme die if
any of the officers
do die be-
fore his ac-
compt made,
or the arerages
of his ac-
compt paid.

32 If any of the said Collectors, Receivours, Treasurers, or other Officers or Ministers which ought to accompt by the true meaning of this Act, shall die before his or their Accompt shall be made as aforesaid, in euerie such case the said Commissioners, or any five or more of them, may call before them, or any five or more of them, the Executors and Administrators of such Collectors, Receivours, Treasurers, Expeditors, Waylifes, and other Officers and Ministers, and require and take of them and euerie of them Accompts of all and euerie the said Receipts, Collections, Payments, Disbursements, and other doings concerning the same: And if upon the same Accompts any thing shall be found in Arerages, or if the said Collectors, Receivours, Treasurers, Waylifes or other Officers or Ministers having made his or their Accompt shall die before such time, as the Arerages that shall be found upon the same Accompt shall be paid or satisfied, then in euerie such case the said Arerages, by warrant of the said Commissioners, or any five or more of them shall and may be leuied by Distresse and Sale of the goods and chattells that were the said Collectors, Receivours, Treasurers, Expeditors, Waylifes or other Officers or Ministers at the time of their severall deatthes: And if the said Executors or Administrators or any of them shall have wasted the goods and chattells that were the said Collectors, Receivours, Treasurers, Expeditors, Waylifes or other Officers or Ministers, then so much of the said Arerages as the said goods and chattells so wasted shall amount unto, shall and may be leuied by Distresse, and Sale of the proper goods and chattells of the said Executors or Administrators as aforesaid: And if the said Executors or Administrators shall have no goods or chattells of their owne in the said Counties of Norfolk and Suffolke, or one of them, whereby the same Arerages may be leuied as aforesaid, then it shall and may be lawfull for the said Commissioners or any five or more of them, by warrant under the hands and seales of any five or more of them, to commit the same Executors or Administrators to the common Gaole of the said Counties of Norfolk or Suffolke, there to remaine without Bayle or Paineprise, untill they shall have paid and satisfied so much as the said goods or chattells so wasted shall amount unto, according to the order of the same Commissioners. 7. Jac. 20.

I remedy if
the Executors
or Administrators
of an Accomptant
hath wasted
his goods.

**The punish-
ment of an ac-
comptant that
refuseth to ac-
compt.**

33 If the said Collectors, Receivours, Treasurers, Waylifes, Ministers, or other Officers, their Executors, Administrators, or any of them, being required by the said Commissioners, or any five or more of them, or by any other being thereunto authorized by warrant of the said Commissioners, or any five or more of them, shall refuse or neglect to render such Accompt as aforesaid, then from time to time it shall and may be lawfull, to and for the said Commissioners or any five or more of them, under their Hands and Seales to commit the person and persons (so refusing or neglecting) to the Common Gaole of the said Counties of

Hertfordshire or Suffolke, there to remaine without baile or mainprize until he or they shall have made such account as aforesaid. 7. Jac. 20.

34 If the said Collectors, Receivours, Treasurers, Expeditors, Baylives or other Officers or Ministers, or any of them, shall die having any summe or summes of money, or other thing in his or their hands, which ought to be employed in or about the works aforesaid by vertue of this Act, And whereof he or they hath not, or haue not accompted, or having accompted was found in account, and any Action or Suite for any debt due by him or them, shall be prosecuted against the Executors or Administrators of them or any of them, before such time as such summes of money and other things shall be satisfied and paid, according to the true meaning of this Act, the same Executors or Administrators may plead that the partie deceased whose Executors or Administrators they are, had in his hands at the time of his death such summes of money, or such things of a certaine value, and shew how much, which ought to be employed according to this to this Act, And that the same are not accompted for, or are accompted for and not paid, or answered for, and that ouer and aboue those summes they haue no goods or chattels that were the said persons deceased, at the time of his death, or goods and chattels but of a certaine value, not amounting to the summe demanded, which plea shall be allowed good in law, in as much as the deceased was but a keeper of those summes and other things, and therefore the same ought not to be liable to his debts: And in case such Action or suit shall be commenced after payment and satisfaction of the said summes and other things by the said Executors or Administrators, then the said Executors or Administrators may plead that they fully administrated all the goods and chattels that were the said persons deceased, and that they haue no goods or chattels, or no goods or chattels besides such goods and chattels of a certaine value, not amounting to the sum demanded, as their cases shall respectively require, without shewing or alleging this Act, or any other particularitie or circumstance in that behalfe, vpon such pleas issue may be ioyned, and vpon triall of the same issue the whole matter shall bee given in euidence on both parts according to the very truth thereof: And if vpon the same trial it shall be found, that the said Executors or Administrators haue paid such summes as aforesaid; the same shall be allowed as a good and lawfull administration: And if it be found that they haue no other goods or chattels then as aforesaid, thereupon in such cases the said Executors or Administrators shall haue such iudgement as in the like cases vpon trial of the like issues is accustomed by the ordinarie course of the common law: Any debts of what kind soeuer that were owing by the said persons deceased notwithstanding. 7. Jac. 20.

If any Ac-
comptant dis-
owing money
to these uses,
and also to o-
ther persons.

35 If any action of trespassse, or other suit shall happen to be attempted, and brought, against any person or persons for taking any distresse, making of any sale, imprisoning of any person or persons, or any other thing doing by authoritie of this Act, the defendant or defendants in any such action or suit, shall or may either plead not guiltie, or otherwise make answerie, cognisance of iustificacion for the taking of the said distresses, making of sale, imprisoning, or other thing doing by vertue of this Act, alleging in such answerie, cognisance or iustificacion, that the said distresse, sale, imprisonment, or other thing, wherof the plaintife or plaintifes shall complaine was done by authoritie of this Act, and according to the tenor, purport, and effect of this Act, without any expresse or rehearsall of any matter of circumstance contained in this Act, to which answerie, cognisance, or iustificacion, the plaintifes shall be admitted to replie, that the defendant did take the said distresse, make the said sale or imprisonment, or did any other act supposed in his declaration, of his own wrong without any such cause alledged by the said defendant: whereupon the issue in enerie such action shall be ioined, to be tried by verdict of xij. men, &

The defen-
dants plea in
any suit com-
menced against
him for aching
done by force
of this Act.

Sheepe.

Where the de-
fendant shall
reconer treble
damages.

When any
land of the
countie of Suff-
olke shall be
taxed.

not otherwise, as is accustomed in other personall actions: And vpon the triall of that issue, the whole matter to be giuen on both parts in euidence, according to the verie truth of the same, and after such issue tried for the defendant; or non-suit, or discontinuance of the suit of the party plaintife after apparance, the same defend-
dant to reconer treble damages by reason of his wrongfull veration in that behalfe, with his costs also in that part sustained, & that to be assessed by the same iurie, or iurif to enquire of the damages, as the same shall require. 7. Jac. 20.

36 When & as often as any rate, tax, assessment or charge shall be made, by ver-
tue of the said commission, & this act or either of them, wherewith or whereby any
lands, meadowes, marshes or other the premises in the said countie of Suffolke, or
any person or persons for or in respect of the same shall or ought to be charged, in e-
uerie such case, one or moze commissioner or commissioners of the said countie of Suff-
olke, shall be present at the time of the same taxing, rating, assessing, or charging,
or shall haue warning giuen vnto him or them, or left for him or them at his or their
dwelling house or houses, of the time & place, when & where the said commissioners
shall meete & assemble in & about the execution of this act, or else the same rate, tax,
assessment, & charge, in, vpon, or in respect of the said lands, meadowes, marshes &
premises in the said countie of Suffolke shall be void & of none effect. 7. Jac. 20. This
act to continue during the terme of 7. yerres next ensuing the end of this present ses-
sion of parliament, & from thence to the end of the first session of the then next parli-
ament and no longer: And that neuertheless, all things done and executed in the
meane time by vertue of this Act, and of the said Commission, shall stand and re-
maine in force and effect, and be iustifiable, as if this Act had still remained in force,
and continued.

1 After a new Riuer shall be brought from Springs out of the countie of Hertf.
to London, the same shall be subiect to the Commission of Sewers. S. 3. Jac. 18.

Sheepe.

Transporting
of Sheepe.

N^O person shall bring, deliuer, send, receiue, or take, or procure to be brought,
deliuered, sent, or receiued into any ship, or bosome, any Rams, Sheepe, or
Lambes, or any other kind of Sheep being alive, to be conveyed out of any the M.
Dominions, vpon paine that euerie such person, his aidors, abettors, procurors,
and comforters, shall for his first offence for. to the M. and 3. all his goods for e-
uer to be recovered &c. wherein no M. &c. & P. &c. And further euerie such offen-
dor shall suffer imprisonment one whole yeare, without baile or mainprise, and at
the yeares end, shall in some open market Towne, in the fullnesse of the market on
the market day haue his left hand cut off, and that to be nayled vp in the openest
place of such market. 8. El. 3.

The second
offence fe-
lonie.

2 And euerie person estwones offending against this Stat. shall be aduindged a
felon & shall suffer death, as in cases of felonie. But this Act shall not extend to any
corruption of blood, or be prejudiciall to any woman claiming dower, by or from
any such offender. 8. El. 3. S. Iust. of P. 15.

No person
shall keepe
above 2000.
Sheepe.

3 No person shall keepe, occupie, or haue in his possession, in his owne proper
lands, nor in the grounds of any other, which he shall haue or occupie in farme,
nor otherwise haue of his owne proper cattell in vse, possession, or propertie by
any maner of meanes, or couin, above the number of 1.000. Sheep at one time, with
in any parts of this Realme, of all sorts and kinds (alwaies accounting by. score
to the hundred, and ten such hundreds to the thousand) vpon paine to forfeit for e-
uerie Sheepe that any person shall haue or keepe above the number limited by this
Act, iij. s. iij. d. to the King and 3. &c. to be recovered by A. &c. wherein no M. &
P. &c. But Lambs vnder the age of one whole yere, and as much as shall be from
the

Lambes.

the time of the falling of them, vnto the feast of the Natiuitie of S. Iohn Baptist, shall not be taken so; sheepe prohibited by this statute. 25. H. 8. 13.

4 If any person hauing sheepe of his owne, happen to be made executor, or to be administrator to any person which had sheepe at his death, or happen to be married to any person which shall haue sheepe at the time of the marriage, by reason whereof the said person shall by such meanes haue aboue the said number of 2000. then he shall lose no penaltie so; hauing aboue the number of 2000. sheepe by such meanes, so that within one yeare next after such aduancement, he doe put to sale, or otherwise dispose so in any of the said sheepe, so to him aduanced, or else of his owne sheepe that hee had before, so that aboue one yeare hee shall not keepe, haue, or occupie, by any such meanes, or otherwise by any fraud, any more number of them, then is before limited, vpon paine before rehearsed. 25. H. 8. 13.

sheepe comming by Executorship, or marriage.

5 If any person by his last Will giue to any Child within age, any number of sheepe, and appoint them by his last Will to be kept by his executors, or by any other person, vntill the aforesaid child shall come to a certaine age limited by his will: Then after the death of the Testator, the said sheepe so being in the possession of the Executors, or of any other person, to the vse of any such Child within age, so; the time that hee shall be limited to haue the said sheepe by the will of the Testator, shall not be accounted against the said Executors, nor any person so hauing the sheepe, so; the intent aforesaid, any of the number of the said sheepe prohibited by this act. 25. H. 8. 13.

sheep giuen by will to a Child within age.

6 Euerie person being the Kings tempoꝛal Subject, and bozne vnder his obedience, which shall haue, or be seised of inheritance, in possession, or in vse, or that shall haue ioynture in vse, or in possession, or shall be tenant in dower, or by the curtesie, of, or in any manors, lands, tenements, pastures, feedings, or libertie of soleage, within any part of this Realme of England, Wales, or the Duches of the same, may haue, keepe, and maintaine, vpon the same, his owne demesne lands, and all other his pastures, feedings, and sold. courses, which hee so hath, as many his owne sheepe and Lambs, in number to his proper behouise, as he lawfully might haue had and kept vpon the same at any time before the making of this Act. 25. H. 8. 13.

Each person may keepe vpon his inheritance &c. as many sheepe as he list.

7 In case any such person hauing any such estate in vse, or in possession, of, or in any lands, tenements, pastures, feedings, or liberties of soldcourses, doe keepe vpon the same the number of 2000. sheepe, or aboue, then he shall not in any wise keepe or haue any sheepe aboue the number of 2000: vpon any lands, pastures, or feedings, which he shall haue in farme, or otherwise, vpon paine of forfeiture so; euerie sheepe, beside the said number of two thousand, iij. shillings iij. pence. 25. H. 8. 13.

He that keepeth 2000. sheep vpon his inheritance, shall not keepe any vpon farme.

8 In case the said demesne lands, tenements, pastures, feedings, and liberties of soldcourses, of any person before rehearsed, suffice not so; the feeding, pasturing, and keeping of 2000. sheepe, then any such person may haue or feed vpon the said demesne lands, & vpon his farme holds (which he lawfully may haue) to the said number of 2000. sheepe, and not aboue, vpon paine of forfeit. so; euerie sheepe aboue that number iij. s. iij. d. 25. H. 8. 13.

2000 kept vpon demesnes & farmes.

9 It shall be lawfull to euerie person keeping a household, to haue from time to time such conuenient number of sheepe, aboue the number expressed in this Act, as shall be necessarie so; the onely expences of his household, to be provided, kept, and fed, in; and vpon his owne lands, or other lands, such as he lawfully can provide so; in farme, or otherwise, so that he at no time shall haue so; the expence of his household, or by colour of the same, aboue the number to him limited by this act, any number of sheepe, more then shall suffice so; the onely expences of his household

sheep for the maintenance of house, aboue 2000.

Sheepe. Ships, Shipping.

for one yere, without fraude or couin. 25. H. 8. 13.

Spiritual persons.

10 It is lawfull for all spiritual persons, to keepe such, and as many sheepe upon their owne lands, and after such maner, and none otherwise, as they might haue done befoze the making of this Act. 25. H. 8. 13.

Foldcourses in Dorset and Suffolke.

11 No Lord, owner, or farmer, of any libertie of foldcourses, within any towne, Wything, village, or hamlet, within any of the Counties of Dorset & Suffolke, shall take in farme for terme of yeares, or otherwise, any quillet of land, or pasture, that is to say, any number of acres of land, or pasture, appertaining to any other person or persons, lying within the limit, extent, or precinct of the said libertie of the said foldcourses, but he shall suffer the said person being for the time owner, or lessee of the said quillet, to manure and pasture the same, and also suffer the sheepe of the said owner or farmer of the said quillet, after the rate of the same quillet, to go with the flocke of the owner, farmer, or occupier of the said libertie, paying the customarie charges for the keeping and feeding of the same, after the rate and vse of the Countre there commonly vsed, without any interruption therein to be made by the said owner, farmer, or occupier of the said libertie, upon paine of forfeiture for euerie time that any such person hauing any such quillet, that shall be disturbed of keeping or pasturing any of his sheepe, so to be fed and kept after the rate of his quillet, for euerie such sheepe as he shall. But this Branch concerning quilletts, shall not be auailable to any owner, or occupier, of any such quillet, to claime or vse any such pasture or feeding of sheepe in any such foldcourses, but onely where the tenants, owners, & occupiers of any such quilletts, haue had, or might haue had herebefoze, and of due tie vsed to haue feeding in the said foldcourses, by reason of their occupations of the same quilletts, and none otherwise. And where they haue not vsed, ne ought to haue any sheepe kept within any such foldcourses, by reason of the said tenures, the owners, or occupiers of such foldcourses, may take such quilletts lying within their foldcourses in farme, agreeing with the owners or occupiers of the said quilletts for the same. 25. H. 8. 13.

Within what time the suit shall be commenced.

12 No person shall be put to any amercement, or losse of any forfeiture, by vertue of this Act, at the suit of any the Kings subiects, by Action, Bill, Plaint, Information, &c. except the suit be commenced within one yere next after the offence committed, nor by reason of any Presentment, Action, or Information, at the Kings suit, except the same be made for the king within thre yers next after offence committed. 25. H. 8. 13. S. Actions popular 2. Iustices of P. 85.

1 In what sort, at what time, and how many sheepe any Purueyours may take at one time. S. Purueyours 9.

Ships, Shipping.

Transporting of fish taken in English mens Ships. Transporting of fish without payment of Customs.

It is lawfull to euerie of the Quenes subiects at his pleasure, to carie & transport out of this Realme, in the Ships or other Vessels of any of the subiects aforesaid, being with crosse sailes, all and euerie kinds of Herring, and other sea fish to be taken upon the Seas, by any of the said subiects. And euerie person which shall by vertue of this Act, transport any Herring, or other sea fish, from any Port or Harbourof this Realme, to any place out of the Quenes Dominions, shall be free from payment of any subside, custome, or pondage money, for the same fish so transported, during the space of five yeares, from the end of the Session of the Parliament begun and holden 2. Aprilis, An 15. Eliz. and from thence to the end of the next Parliament after the said five yeres to be summonsed, & from thence during the Quenes pleasure. An 5. Eliz. 5. 13. Eliz. 11. But neither the Mayors, Burgeses, nor Inhabitants of Kingston upon Hull, shall take advantage of this Stat. for carrying Herrings, or salted fish to any ports beyond the Sea. 5. Eliz. 5.

2 It

2 It is not lawfull to any person in any place within this Realme, to set price, make any restraint, or take, or demand toll, or tare, of any Sea fish brought into this Realme, being taken by any of the Quenes Subjects, in Ships or other vessels of the same Subjects, upon paine to euery person offending contrarie to the meaning hereof, to forfeit the value of the fish so restrained, priced, tolled, or tared: Any libertie, custome, graunt, priuledge, &c. notwithstanding. But this Act shall not be prejudiciall to the Haioi, Burgesles, &c. or any other Officer of Bristone vpon Hull, but euery of them may take all such Toll, Customes, and summes of money of euery such person as is limited in an Act made 33. H. 8. 33. 5. Eliz. 5.

No price shall be set, or toll taken of fish taken in English mens ships

3 It shall not be lawfull to any person, to cause to be laden and caried in any bottom, whereof any stranger, or strangers bozne then be owners, shipmasters, or part owners, any things of what kind or nature soeuer they be, from one Port or Creeke of this Realme, to an other of the same Realme, upon paine to forfeit all the goods so laden, or caried, or the value thereof. 5. El. 5.

Conveying in strangers ships from one Port to an other.

4 No person shall bring into this Realme of England, or any part of the same, any Wine coming out of any of the Countries belonging to the Crowne of France, or any Load, called Cholose Load, in any other vessel, but onely in such whereof some Subject of the Quenes &c. shall be then onely owner, or part owner, upon paine to forfeit all Wines and Load brought contrarie to the meaning hereof (according to the true meaning of a Statute made 4. H. 7. 10. concerning Wine of the Duchie of Gasconie and Guyon) except, that there may be brought into Wales, or any part within the Countie of Monmouth, Rochell Wines. 5. El. 5.

No French wine or Cholose Load shall be brought in strangers ships.

5 But it shall be lawfull for any person or persons being strangers bozne, to bring yerely in any Ship or vessel, whereof any stranger, or strangers bozne shall be owner, &c. into any of the Hauens, Ports, or Townes of the Isle of Man, any Wines made in any of the Dominions belonging to the Crowne of France, and in any of the same Ports, or Townes, to discharge the said Wine so brought, so that there bee not brought and discharged by the same strangers, in any such strangers vessels in any one yeare, in, or at the said Hauens, Ports, and Townes, or any of them, aboue an hundred Tunnes at the most. In like maner and vpon the same condition may strangers bozne, bring in strangers ships, any Wines made in the Dominions of France, into the Hauens, Ports, and Townes of Chepstow & Newport in the Countie of Monmouth, and of Cardife, Carnaruan, Beaumarie, and other ports, hauens, & Townes of Southwales, and Northwales, or any of them, ouer and beside all Rochell Wines heretofore allowed in this Act, to be brought &c. Sauing to the Quene, her heires, &c. all such duties as she ought to haue for the said wines &c. 5. El. 5. 1. Jac. 25. to continue to the end of the first Session of the next Parliament.

Wine brought in strangers ships.

6 No person using any Ship, Boat, or vessel called Catche, Ponger, or Picard, or other vessel of like vse, shall in the time of common fishing vpon the Sea coasts of Norfolk, and Suffolke, betwene the 14. day of Sept. and the 13. day of Nouemb. from Sunne setting, to Sunne rising, anker vpon the maine Sea, or in the common streame, or trade of fishing, where the fishermen vse to drie, vpon paine to forfeit their Catche, Ponger, Picard, &c. with the tackle, and all the fish in the same, or the value thereof: The one halfe to the Qu. her heires, &c. the other halfe to the Bailife, Burgesles, and Comminaltie of great Parmouth, to be employed to the recompensing of damages to the parties, whose Nets shall be cut, and to the buyling and repairing of the decayed Hauen there, and to be taken by way of seizure, or otherwise to be recovered by A. J. &c. 13. El. 11.

Ankering vpon the Sea in fishing time.

7 A Denizen which shippeth any goods in a Caracke, or Gally, shall pay all customs

Sherifes.

Stomes and subsidies as an Alien. S. Customes 2.

2 Where, in what case, and in what manner it shall be lawfull for the owner of a Ship, or a Shipwright, to take an Apprentice. S. Laborours 30.

3 At what time and place the Master of a Ship shall receiue and discharge his loading. S. Merchants 5, 6.

4 A Master of a Ship shall giue notice to a Customer of his loading, time of departing &c. S. Merchants 7, 8.

5 The Master of a Ship shal not permit any Brasse, Mettall, &c. to be transported, but shal disclose the same. S. Brasse 3.

6 A Ship shall be forfeited wherein is transported Corne, Beere, Butter, Cheefe, Herring or Wood, without licence. S. Corne 1.

7 In what case a Ship shalbe forfeited, wherein is transported any Leather, or raw Hides. S. Leather 50.

Sherifes.

NO man shall be Sherife, Bayliffe of Hundred, Wapentake, or Franchise, or Under-Sherife, in any County, except he haue land sufficient in the same Countie, to answer the R. and his people. 6. Ed. 2. 4. Ed. 3. 4. 5. Ed. 3. 5.

2 No Steward or Bailiffe of any great Lord, shall be made Sherife, except he be put forth of seruice: But such a Sherife shall be appointed, which may wholly attend to serue the R. and his people. Lincoln 9. Ed. 2.

3 Euerie Sherife within England shall dwell in his proper person within his Bailiwyke, for the time he shalbe officer. 4. H. 4. 5.

4 No Sherife, Undersherife, or Sherifes Clerke, shall remaine in his Bailiwyke or office, aboue one yeare, and after that yeare, another sit and sufficient person shall be obtained in his place. 14. E. 3. 7. 42. E. 3. 9. And none that hath bene Sherife of any Countie one whole yeare, shall be appointed Sherife of that Countie by the space of thre yeares next insuing, if there be any other sufficient of lands and goods in the same Countie, to answer to the King and his people. 1. R. 2. 11. (The Undersherife, and all other Officers within the Citie of London, the Undersherife, and all other Officers of Sherifes, within the Shire of the Toloue of Wyke. 6. H. 8. 18. and such Counties in which any persons at the time of the foresaid Statute made, viz. 15. Feb. Anno Dom. 1444. were inheritable to the office of Sherife, and the Letters patents made to them of the office of Sherife, Undersherife, Sherifes Clerke onely except. 23. H. 6. 3.) And if a ny Sherife, Undersherife, or Sherifes Clerke, doe occupie the office of Sherife, Undersherife, or Sherifes Clerke, contrarie to the foresaid Statutes, or contrarie to the effect or intent of any of them (except before excepted) then he shall forfeit 200. l. yearly, as long as he doth so occupie. And euerie Pardon made for such offence, occupation, or forfeiture of the summes before recited, shall be void. And all Patents to be made of any of the said offices, for terme of yeres, for terme of life, in fee simple, or in fee taile, to any of the kings liege people, (except before excepted) shalbe void, notwithstanding any clause or sentence of Non obstante put in such Patents. And whosoever doth take vpon him to receiue, or occupie the said Office of Sherife, by vertue of any such graunts, or Patents, for termes of yeres, for terme of life, in fee simple, or fee taile, shall be for ever disabled to be, or beare the Office of Sherife in any Countie of England. And euerie of the Kings liege people which will, may sue for the said summes forfeited against him which doth forfeit the same, in an Action of debt in his owne name, and the R. shall haue the moitie of all that which is recovered, and he that sueth the other. 23. H. 6. 3. But euerie old Sherife of euerie Countie, hath full authoritie, as well lawfully to execute & retorne euerie writ,

A Sherife must haue sufficient land.

Each that be Sherifes as may attend.

The Sherife shall continue within his Countie. None shall be Sherife, or Undersherife aboue one yere.

Patents of Sherifswike

In what case a Sherife may occupie aboue one yere.

to wit, precept, or warrant, in euerie of the Courts of Record at Westm, deliuered to him, as to do & execute euerie other thing, which to the office of Sherife lawfully pertaineth at all times during Michaelmas Terme, and Hillarie Terme, vnlesse he be before the same time lawfully discharged of his occupation of Sherife, without sustaining any damage, forfeiture, or paine. 12. Ed. 4. 1. 17. Ed. 4. 6.

5 No Sherife shall let to ferme in any manner his Countie, nor any of his baylywikes, hundreds, or wapentakes. And the Sherife (among other Articles comprised in his othe) shall bee from time to time sworn, that he shall not let his Baillywike to ferme. 4. H. 4. 5. 23. H. 6. 10.

The Sherife
shal not let his
Countie or
baillywike
to ferme.

6 No Sherife, Under Sherife, Bailiffe of franchise, nor any other Waylife, by occasion, or vnder colour of his office, shall take any other thing by themselves, or by any other person to their vse, or profit, of any person, by any of them arrested, or attached, nor of any other for them, for the omitting of any arrest, or attachment to be made by their bodies, or of any person by any of them, by force or colour of their office arrested, or attached, for fine, fee, mainprize, letting to baile, or for shewing any ease or fauour to any such person so arrested, for their reward or profit, but such as followeth: viz. the Sherife xx. pence, the Bailiffe which maketh the arrest, or attachment iii. pence, and the Gaoler (if the prisoner bee committed to his ward) iij. pence. 23. H. 6. 10.

The Sherife
and his Bail-
liffes fees for
arrests.
The Sherifes
dutie for ma-
king a copie
of a panell.

7 The Sherife, Under Sherife, Sherifes Clerke, Steward, or Bailiffe of franchise, seruant to the Bailiffe, or Cozoner, shall not take by colour of his Office, by himselfe, nor by any other person to his vse, any thing of any person for the making of any returne or panell. And for the Copie of a panell foure pence. 23. H. 6. 10.

8 The Sherifes, and all other Officers and ministers aforesaid, shall let out of prison, all manner of persons by any of them arrested, or being in their ward, by force of any writ, bill, or warrant, in any action personall, or by reason of any Indictment of trespass, vpon reasonable suretie of sufficient persons, hauing sufficient within those Counties where such persons be so let to baile or mainprize, to keepe their daies in such places, where the said writs, bills, or warrants do require (onely except those persons which shall be in their ward by condemnation, execution, Capias vilagarum, or Excommunicarum, sureties of peace, and all such persons which shall be committed to ward by the speciall commandement of any Just. and Wlaga bonds &c.) But if the Sherifes returne vpon any person, Cepi corpus, or Reddidit se, they shall be chargeable to haue the bodies of the said persons at the daies of the returnes of the said writs, bills, or warrants, in such manner, as they were chargeable before the making of this act. 23. H. 6. 10.

Waiting of
prisoners, or
persons ar-
rested.

The Sherife
returning Ce-
pi corpus, vel
Reddidit se.

9 No Sherife, nor none of the Officers or ministers aforesaid, shal take, or cause to be taken, or made, any Obligation, for any cause aforesaid, or by colour of their office, but onely to themselves, of any person, nor by any person which shall be in their ward, by course of the Law, but in the name of their office, & vpon condition written, that the said prisoners shal appeare at the day contained in the said writs, bill, or warrant, & in such places as the said writs, bills, or warrants shall require. And if any of the said Sherifes, or other Officers aforesaid, take any Obligation in any other forme by colour of their offices, it shall be void. And he shal take no more for the making of any such Obligation, warrant, or precept, by him to be made, but iij. s. 23. H. 6. 10.

Obligation
for apparance.

10 Euerie of the said Sherifes shal make pearly a Deputie of Record in the Court of Chaucerie, B. Bench, common Plies, and in the Exchequer, before that they shall returne any writs, to receiue all manner of writs, & warrants to be deliuered vnto them. 23. H. 6. 10. And euerie Sherife of euerie the 12. Counties in Wales, & of the Counties Palantine of Lancaster, Chester, & the citie of Chester, shall

The Sherife
shal make a
Deputie in
euerie Court.

Sherifes.

shall haue in the R. Bench, and common ples, one sufficient deputie at the least. 3. 6. 26. S. Exigent 7.

Forsfeitures.

11 All Sherifes, Undersherifes, Clerkes, Bailifes, Gaolers, Coroners, Stewards, bailifes of franchises, or any other officers, or ministers; which do contrarie to this foresaid ordinance made 23. H. 6. 10. in any point of the same, shall lose to the party in this behalfe indamaged or grieved his treble damages, and shall forfeit xl. li. at euerie time that any of them do the contrarie in any point of the same, whereof the King shall haue the one halfe, to be employed only to the vse of his house, & the party that will sue, the other halfe. But the Warden of the flote, and of the Kings place at Westm. for the time being, shall not be prejudiced by this ordinance in his dutie of his office. 23. H. 6. 10. S. Iustices of peace 90.

Wardens of the flote, & of the Palace at Westm. ster.

The order of Indictments taken in Sherifes Turnes.

12 Sherifes in their Turnes, & otherwise, when they haue to inquire of malefactors by the R. commandement, or by vertue of their office, shall make such inquisitions of those offenders by ry. lawfull men at the least, which shall put their seales to those Inquisitions (and the Roll of the Inquisition shall be indented, whereof one part shall remaine with the Indictors, and the other with the Sherife, or other which taketh the enquest, so that the Indictment shall not be imbeziled. 1. E. 3. 16.) And if the Sherifes do imprison any other then those which be indicted by such inquisitions, they which bee so imprisoned shall haue their action of false imprisonment against the Sherife, as they should haue against any other person which should imprison them without warrant. And the foresaid ordinance prouided for Sherifes shall be obserued of euerie Bailife of libertie. W. 2. 13. E. 1. 13. But if any Indictments or Presentments shall be taken before any Sherifes of Counties, their Undersherifes, clerkes, baylifes, or ministers, at their Turnes or Lawdaies, they nor none of them haue power to attach, arrest, or put in prison, or to leuie any fines or amerciaments of any person or persons so indicted or presented, by reason of colour of any such indictment or presentment, nor to take of any such person so indicted or presented any fine or ranfome, but they shall bring and deliuer all such indictments & presentments to the J. of P. at their next Session of the peace, that shal be holden in the Countie where such Indictments and Presentments shall bee taken. And if any of the said Sherifes, Undersherifes, their Clerkes, Bailifes, & ministers do not bring, deliuer, & present all such Indictments or presentments so taken before them in their Turnes, or Lawdaies, at such sessions of the peace, before the said J. of the P. then they & euerie of them that so shall faile thereof, shall forfeit to the R. xl. l. at euerie time that they or any of them doth contrarie. 1. E. 4. 2.

Indictments taken in the Sherifes Turnes shall be deliuered to the Just. of P.

Just. shall award proces against those which be indicted in the Sherifes Turne.

13 The said Iustices of Peace haue authoritie to award proces vpon all such Indictments and Presentments, as the law doth require, and in like forme as if the same were taken before the said Iustices in the said Countie. And also to arraigne, and deliuer all such persons so indicted and presented before the said Sherifes, Undersherifes, their Clerkes, Bailifes, & ministers, or any of them, in their said Turnes or Lawdaies. And euerie person which shall bee indicted or presented of trespassse, shal make such a fine as shal seeme lawfull by the discretions of the same Iustices. 1. E. 4. 2.

Estreats recd. deliuered to the Sherifes by the Justices.

14 The Estreats of the said fines and amerciaments shall bee inrolled, and by Indenture deliuered to the said Sherifes, Undersherifes, their Clerkes, Bailifes, or ministers, or some of them, to the vse and profit of him that was Sherife in the said Countie, at the time of such Indictments or Presentments taken. And if any of the said Sherifes, their Undersherifes, Clerkes, bailifes, or ministers, do arrest, attach, or put in prison, or cause any fine or ranfome, to be taken, or leuie any amerciament of any person so indicted or presented, by reason of any such Indictment or Presentment, taken before them at their Turnes or Lawdaies, before that they haue proces from the said Iustices of Peace, or Estreats deliuered out of the said India.

Indictments or Presentments: When the said Sherife which so doth, shall forfeit an hundred pounds: The one halfe to be imploied to the expences of the Kings house, and the other to the partie indammaged, which shall have an Action of debt at the Common Law, and like Procees as in an Action of debt, wherein no *et. q.*
C. P. 11. E. 4. 2.

15 But this Act doth not extend to the Sherifes of London, concerning any Indictments or Presentments taken within the said Citie. Nor to any person which hath Grants of any fines or Amerciaments, by any Letters patents of any of the Kings progenitors, bearing date before the tenth day of December, Anno 1. Ed. 4. et Anno Dom. 1461. Nor to any person having any Liberties or Franchises by any of the said Letters patents, or in any other maner by prescriptions. 1. Ed. 4. 2.

Sherifes of London.

Grants of fines.

16 No Sherifes, Undersherifes, Shire Clerkes, neither any person in their names, nor by their commandement, shall take and enter any plaints in their bookes, in any mans name, unlesse the partie plaintife be in proper person present in the Courts, or else by a sufficient Attorney or Deputie that is knowne to be of good name and disposition. And the same plaintife shall find pledges to pursue his said plaint, such persons as are knowne there in that Countie. And the plaintife shall have but one plaint for one trespass, or contract, and if the said Sherifes, Undersherifes, Shire Clerke, take, enter, or cause to be entered, any more plaints, then the plaintife supposed that he hath cause of action against the defendant: When the said Sherife, Undersherife, &c. that offendeth, shall forfeit for every default *xl. s.* to the King and *l. q.* to be recovered in the Exchequer. And over that, the Justices of Peace in the same Counties, and everie of them, have authoritie upon complaint made by the partie so unlawfully grieved, to examine the said Sherifes, Undersherifes, or Shire Clerke, and plaintifes: And if they, or one of them find by the examination, default in the said Sherife &c. in entering of the said plaints deceitfully for his advantage, contrarie to this Act, When the said Sherife &c. shall be convicted and attaint of the same offence, without further inquirie, he shall forfeit upon the same examination *xl. s.* to the King, for everie default: and the said Justice that so shall take the examination, shall certifie the same within a quarter of a yeare, into the Exchequer, upon paine of *xl. s.* 1. H. 7. 15.

No plaints shall be entered, but where the plaintife or his Attorney is present. Plegij de prosequendo.

Entering of more plaints than the plaintife hath cause of action.

Examination by the Justices of Peace,

17 The said Sherifes, Undersherifes, and Shire Clerks, shall make, or cause to be made, a sufficient Precept to the Bailifes of the Hundred, to attach, summon, & waite the defendants that are so in suit, to appeare and answer to the said plaints. And if there be any default in the said Bailifes, in waiteing of the said defendants, or in executing their office, then the same Bailifes shall forfeit for everie default to the King *xl. s.* and be attainted thereof by like examination of the Just. of Peace, or everie of them, as is before rehearsed. 1. H. 7. 15.

Execution of precepts by Bailifes.

18 Sherifes, Undersherifes, Shire Clerkes, and their Deputies, shall make none Cretes, to leve the said Sherifes amerciaments, untill two Justices of peace (whereof one shall be of the Quorum) have had the view & oversight of their bookes, and that the Cretes be indented betwixt the said Justices, and the said Sherifes, & Undersherifes, and sealed with their Seales, the one part to remaine with the said Justices, and the other part with the said Sherifes, or Undersherifes, for the intent to understand, if any deceit or untrue demeaning be in them in making of their bookes. 1. H. 7. 15.

Two Justices shall view the Sherifes Cretes.

19 Those persons which shall be gatherers of the same amerciaments, as baylives, or other officers, shall be sworn by the said Justices, that they shall take no more money then is forfeited and contained in the said Cretes sealed with the seales of the said Justices, upon the same paine of forfeiture, as before is rehearsed, thereof the same gatherers to be convicted by the examination of the Justices, or

Bailifes shall be sworn to gather, but what is due,

Sherifes.

one of them &c. 11.H.7.15. Neither shall any Sherife be charged to leuie any issues, nor shall leuie any before the same go out of the Exchequer by Escheats. And euery man shall be charged of those issues forfeited, as well as of amerciaments. And if the Sherife will returne the issues of any Recognisour, pledge, or mainper, nor, which at the time of the returne, was not sufficient to answer the said issues and amerciaments, the Sherife himselfe shall answer, and shall bee therewith charged in the Exchequer. And if the Sherife returne the names of any Paigner, nor, Juror, or other, but according to the tenor of the writs to him directed, or doe returne the names of any pledges, except the same pledges do thereunto consent, he shall be grievously punished. 27.E.1.Stat.de Finibus.

20 The Justices of Peace shall be appointed and named at the generall Sessions after the feast of S. Michaele, by him that is Custos Rotulorum of the said Countie, or else by the eldest of the Quorum in his absence, to haue the oversight and controulment of the said Sherifes, Undersherifes, and Shire Clerks, and other of the said officers, and of the said Sherifes amerciaments. And the said Justices of peace vpon suggestion or information of the partie grieved, shall make like process, as in action of Trespass against the said Sherifes, Undersherifes, or Shire Clerks, & other the aforesaid Officers misdemeaning as is aforesaid, so to appeare before them to answer to the said suggestion, or information. 11.H.7.15.

21 No person hauing, vsing, or exercising the office of a Sherife of any Countie or Counties, shall exercise the office of a Justice of the Peace, by force of any Commission, or otherwise, in any Countie or Counties where he shall be Sherife, during the time onely that he shall vse or exercise the said office of Sherifewike, and euery act done by authoritie of any Commission of the peace, during the time abovesaid, shall be void. 1.M.1.Parliament 8.

22 If the Sherife of any Shire (being no Citie, or Towne made Shire) do not within two Moneths after he hath received his Patent of Sherifewike, appoint and proclaime in the Shire-Towne foure Deputies at the least, one dwelling not aboue twelue Miles distant from an other, in the Sherifes name to make Replewies and deliuerance of distresses, in such manner and forme as the Sherife may or ought to doe, he shall forfeit for euery Moneth that he shall lacke such Deputies, v. l. to the C. and 3. to be recovered by A. N. &c. wherein no W. &c. C. P. &c. 1. & 2. P. & M. 12.

23 If any Sherife, Escheator, or other officer of the K. do selle the lands, goods, or cattels of any man, surmising that he is outlawed, because he is of the same name that some other person is, which is outlawed, the partie shall haue a writ of Idempnitare nominis, & shall find suretie to the Sherife, or other officer, which hath warrant to seise, to answer to the K. the value of the goods or cattels, in case he cannot discharge himselfe, without any thing theretoze paying. And if the Sherife, or other officer &c. doth not take the same, the partie grieved may haue his suit against him, and recouer his double damages: And also the said Officer shall receive grievous punishments at the Kings hands. 37.E.3.2. And the writ of Idempnitare nominis, is maintainable for the Executors of euery Testator, as well as the same action was before maintainable by the person himselfe, which was molested by cause or colour of any outlawrie. 9.H.6.4.

24 If any Sherife, Undersherife, Escheator, Bayliffe of Franchise, or other person do take or seise the goods of any person arrested & imprisoned, before the same person be convicted or attainted of Felony, according to the Law, or that the same goods be otherwise lawfully forfeited, he shall pay to the partie grieved the double value of the goods so taken or seised, to be recovered by A. of Debt, wherein no W. &c. C. P. &c. 1. R. 3.3.

25 Hundredors, viz. Bayliffes of Hundreds, which be knowne and stowe in the

The Sherife shall execute his warrant, and no more.

Justices assigned to ouersee the Sherifes escheats.

No Sherife shall be Just. of P. in the same Countie

fig. Deputies to make Replewies.

Wrongfull seissure of an others mans lands or goods

Idempnitare nominis,

The Sherife shall not seise the goods of a prisoner, untill he be attainted.

Bayliffes of Hundreds.

the full Countie, shall make execution of all writs which come to the Sherife, and none others (except it be in the great default or notorious disturbance of the Hundredes) and then other persons which be convenient and swozne, shall make execution, so that the people may alwaies know, to whom to resort for such execution (savouring the returne of writs to them which of right ought &c.) And the same Hundredes shall be credible persons, and shall have land sufficient in the same Hundred, or in the Countie where the Hundred is, so that they shall not need to use extortion. Lincoln. 9. Ed. 2. 2. Ed. 3. 5. 5. Ed. 3. 4. 4. Ed. 3. 9. And the Sherifes shall place such bailifes for whom they will answer. And so shall those Lords which have Hundreds and Trespachments in fee. 14. E. 3. 9.

Bailifes of
Hundreds.

26 They which be Sherifes Bailifes one yere, shall not be in any such office by the space of thre yeres next ensuing, except the Bailifes of those Sherifes which have inheritance in their Sherifewickes. 1. H. 5. 4.

Sherifes
Bailifes.

27 The Sherife shall have Counter Rolles with the Cozoner, aswell of appeals, as of enquests, of attachments, & other things which doe belong to the Cozoners Office. West. 1. 3. E. 1. 10. But no Sherife, Constable, Escheator, Cozoner, or any other Bailife of the Kings, shall holde Places of the Crowne. Magna Charta 17.

Counter
Rolles with
the Cozoner.

28 Where the Sherife ought to returne the Kings writ, to a Bailife who hath right to returne the writ, if the Bailife of the franchise doe not make delivrance of the cattell impounded after the Sherife hath made the returne unto him, the Sherife shall doe his office without delay, upon paine of for. of double dammages. West. 1. 3. E. 1. 17. Malb. 2. H. 3. 21.

Delivrance
of cattell by
the Sherife.

29 The Quene, her heires and successors Kings or Quenes of this Realme, shall and may yearly chosse, and make for every of the Counties of Essex and Hertford, Somerset and Dorset, Warwike and Leicester, Nottingham & Derby, Dron and Berk, one sufficient and able person to be Sherife of the same, in such like maner as is and hath been used to be made for any other Countie within this Realme. And every person which shall be appointed Sherife for any of the said counties shall be accomptable, and used in the order of his accompt, and all other things and allowance to him made in the exchequer and all other courts and places, in such maner and forme, as is commonly used for Sherifes in like case. An 8. Eliz. 16 13. Eliz. 22.

Sherifes
whiches
divided.

30 No Sherife chosen and made of any one of the foresaid Counties shall pay in any Court of Record for any duetie belonging properly to the office of Sherife, any other fees, or Charges, then onely the one halfe of the charges and fees which he should be compelled to have payed, if he had been Sherife of two of the said Shires and Counties, as befoze the making of this Act was used. 8. Eliz. 16. 13. Eliz. 22.

But halfe the
charges shall
be payed for
Sherifewickes
divided.

31 Per stat. 7. R. 2. 6. Every Sherife of England ought in proper person to make proclamation of the Stat. of Winchester provided 13. Ed. 1. against homicides, burning of houses, robberies, and other felonies, foure times in every yere, in every hundred of his Bailiwicke, and by his Bailifes in every market, aswell within liberties as without.

The stat. of
Winchester
proclaimed.

32 All and every person and persons, that shall be admitted to, or take upon him the executing of the office of an Undersherife, in any Shire or Countie, within this Realme of England, befoze he intermeddle with the use, or exercise of the said Office, shall receive and take a copposall oath upon the holy Euangelists, befoze the J. of Assise, or one of them, of the same circuit, wherein that Countie is, whereof he shall be Undersherife, or befoze the Custos Rotulorum, or two J. of the peace, whereof one to be of the Quorum of the said Countie, whereof he shall be Undersherife, as aforesaid, for and concerning the Supremacie in such manner

Every Under
sherife shall
be twice
sworne.

Sherifes.

S. Queene 4.

No reward
for the im-
panelling of an
inquest.

and forme, as that oath is expressed and declared in one act of Parliament made and ordained, Añ 1. Eliz. Together with which oath, he shall in like sort, before the same person or persons, receive and take one other copozall oath as followeth, (that is to saie) I A.B. shall not vse or exercise the Office of Vndersherife corruptly during the time that I shall remaine therein, neither shall or will accept, receive, or take by any colour, meanes, or deuise whatsoever, or consent to the taking of any manner of fee or reward, of any person or persons, for the impanelling, or returning of any Inquest, Iurie, or Tales, in any Court of Record for the Queene, or betwixt partie and partie, aboue ij s. or the value thereof, or such fees as are allowed and appointed for the same, by the lawes and statutes of this Realme. But will, according to my power, truly and indifferently with conuenient speed impanell all Iurors, and returne all such writ or writs touching the same, as shall appertaine to be done, by my duetie or office, during the time that I remaine in the said Office, So helpe me God. And this act shall be a sufficient warrant to the persons appointed by this Act, to minister the oath aforesaid, for the ministring thereof accordingly. 27. Eliz. 12.

Bailifes of
franchises,
Sherifes,
Clerkes, and
Deputies,
shall take the
foresaid oaths

33 Every Bailife of Franchise, deputie and Clerke of every Sherife and Vndersherife, and every other person and persons, which shall haue authoritie, or take vpon him to impanell or returne any Inquest, Iurie, or Tales, or to intermeddle with execution of process, in any court of Record, shall, before he or they intermeddle with any further execution thereof, receive and take the oaths aforesaid copozally, before the person or persons appointed by this Act to minister the same, or before the head Officer of the place, if it be a towne copozat, chaunging onely the wordes (the Office of Vndersherife) contained in the oath expressed in this Act, to such wordes as are conuenient for the deputation, office, or place, in which the partie which taketh the oath, is to be exercised in. And if any the said persons limited to take the oath aforesaid, do take vpon him to impanell or returne any Inquest, Iurie, or Tales, or to intermeddle with the execution of process, not hauing before taken the oaths aforesaid: When every such person shall forfeit xl l. to the M. and J. to be recovered in any of the M. Courts of Record by A. B. P. J. wherein no M. C. P. &c. 27. Eliz. 12.

The forfei-
ture of the
Offenders.

34 If any Vndersherife, or other person mentioned in this Act, or any of them, shall doe, or commit any Act or Acts contrarie to the oaths aforesaid, or either of them, or contrarie to the true intent and meaning of this Act, When euerie such person so offending shall forfeit for every such offence to the partie or parties grieved, his or their treble damages, to be recovered by A. B. P. J. in any of the Quenes Courts of Record, wherein no M. C. P. &c. 7. Eliz. 12. S. Iustices of Peace 100.

How much
Sherifes may
take for the
seruing of an
execution.

35 It shall not be lawfull to or for any Sherife, Vndersherife, Bailife of franchises, or Liberties, nor for any of their or either of their officers, ministers, seruants, bailifes, or deputies, nor for any of them, by reason or colour of their or either of their office or offices, to haue, receive, or take of any person or persons whatsoever, directly, or indirectly, for the seruing and executing of any extent or execution vpon the bodie, lands, goods, or chattels of any person or persons whatsoever, more, or other consideration or recompence, then in this present Act is or shall be limited and appointed, which shall be lawfull to be had, received, and taken, that is to say, xij. d. of and for every xx. s. where the summe exceedeth not 100. l. and vij. s. of and for every xx. s. being ouer and aboue the said summe of 100. l. that he or they shall so leuie or extend, and deliuer in execution, or take the bodie in execution for, by vertue and force of any such extent or execution whatsoever, vpon paine and penaltie, that all and every Sherife, Vndersherife, Bailife of franchises or Liberties, their and euery of their Ministers, Seruants, Officers, Bailifes, or Deputies,

Deputies, which at any time shall directly or indirectly doe the contrarie, shall lose and forfeit to the partie grieved his treble damages, and shall forfit the summe of xli. of good and lawfull English money, for every time that he, they, or any of them shall doe the contrarie, to the Sherif and he to be recovered by A. D. 15. 03. 1. wherein no C. W. P. 15.

Provided alwayes, that this Act, or any thing therein contained, shall not extend to any fees to be taken or had for any execution within any Citie or Towne corporate: Any thing above mentioned to the contrarie thereof notwithstanding. 29. Eliz. 4.

36. If any Sherife, Under Sherife, or other person, having authoritie, or taking upon him to breake Writs, doe make any warrant for the summoning of any person, as upon any writ, proces, or suit, or for the arrest, or attaching of any person or persons by his or their bodie or goods, so appears in any her. Justices Courts at Westminster, or elsewhere (not having before that the original writ or proces, warranting the same) When upon complaint thereof made to the Just. of Assise of the Countie where the same offence shall be committed, or to the Judges of the Court, out of which the proces issued, not onely the partie that made such warrant, but all those that were the procurers thereof, shall be sent for before the same Judges or Justices, by attachements, or otherwise, as the same Judges or Justices shall thinke good, and allow of, and be examined thereof upon their oathes: And if the same offence be confessed by the same offenders, or proved by sufficient witnesses, to the satisfaction of the same Judges or Justices, then the same Judges or Justices that shall so examine the same, shall forthwith by force of this Act commit every such offenders to the Gaole of the Countie or Citie, where the same shall be examined, there to remaine without baile or mainprise, untill such time as they among themselves have fully satisfied and paid unto the partie grieved by such warrant, not onely x. pounds of lawfull English money, but also all such costs and damages as the same Judges or Justices shall see fit, that the same partie hath sustained thereby, and shall st. l. a peece for their offence to her. Justie. 43. Eliz. 6. 1. Jac. 25. To continue in force untill the end of the next Session of the next Parliament.

37. All the Sherifes of England shall have allowance upon their accompts by their Oathes, of things casuall, as of. Accidents that sound not, nor run in terme, nor in demand, but of things that sound or run in yearly termes, or yearly demands, they shall be charged against the King, as the Sherifes have bin charged in times past. 4. H. 5. 2.

38. All Sherifes shall have such Allowance of costs and other allowances, as they have heretofore had, and they shall be discharged upon their accompts in the Exchequer of such summes of money which they cannot lode: And they shall have allowance for their charges and expences, which they sustain by the Justices of Assise, Diet, and other meanes. And every Sherife by himselfe, his Attorneys, or Deputies, shall be sworn at his day of presentation, when he shall answer before the King, Treasurer, Barons, &c. to bring & deliver into the Exchequer, rolls of Parchment of all such particular summes of money which he hath, or might have levied, making mention of what person, of what lands, and for what cause every of the said summes be levied. The Treasurer, Barons, &c. of the Exchequer shall award out such Proses, Commissions, and other meanes, as they shall thinke good, for the levying and recovery of such summes, and shall withholden, and allow the Commissioners such charges, as they shall thinke meet. 1. Edw. 4. 2. 1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100.

39. The Sherife of the Countie of Northampton, before he receive his Oath, or exercise his Office, shall put in sufficient Sureties by himselfe, or his Deputy,

for execution within any Citie or Towne corporate.

Summoning or arresting without warrant.

Sherif's allowances.

Sherif's allowances.

Rolls in parchment.

Proses for the debt.

Sherif of Northampton.

Sherifes.

He, in the Exchequer, enter into Recognizance in such summe, & vpon such conditions, as the L. Treasurer & Barons shall thinke meet, as all other Sherifes of this Realme do, vpon paine of forf. of 100 l. to the King. Such Sherife shall be accountable but for his owne time, & for the yeare of his Sherifewicke onely, & shall not be charged with any arerages due by any of his predecessours. 2. &c. 3. E. 6. 34.

Bailiffes of
liberties.

1 Every Statute provided for Sherifes, shall extend to Bailiffes of Liberties. S. Franchises 1.

Redisseisin.

2 For the Sherifes dutie in executing the writ of Redisseisin. S. Redisseisin. 2. 3.

Replevying
a distresse.

3 For the Sherifes dutie in replevying of a distresse, and taking band for prosecuting the suit, and making of Returne. S. Replevin 1. 3.

Riots.

4 For the Sherifes dutie in recording and certifying of Riots. S. Riots 1. 3.

Returns.

5 For the Returnes of Sherifes, and Bailiffes of Liberties. S. Returnes of Sherifes.

Estreats.

6 The Sherife must shew to the partie indebted, the Estreats sealed, and vpon the payment Tot the same. S. Estreats 1.

Amerciaments

7 Amerciaments for insufficient Returnes by Stewards, or Bailiffes of Liberties, shall be set vpon their heads, and not vpon the Sherifes. S. Franchises 3.

Attorney.

8 No Vndersherifes, Sherifes Clerkes, Receiver, or Bailiffes, shall be Attorney. S. Attorney 9.

Counterfeiting
weights.

9 Sherifes may inquire of counterfeiters of false Weights, and punish them. S. Weights 1. 3.

A womans
writ.

10 Whar a Sherife shall forfeit which doth not execute a writ to him directed at the suite of a Woman, which is enforced to be bound by Obligation or statute. S. Women 1.

Receit.

11 The Sherife shall discharge his distresse, which can find him fuitre to gree for the thing in demand, and shall accept the Kings debt of that which he hath received. S. Receit &c. 1.

Disseisin.

12 How the Sherife shall be punished, which by the colour of his office doth thieve any mans life. S. Life 1.

Array assize.

13 In what time a Sherife shall array Assizes, and deliuer the Copies. S. Assize 8.

Escape.

14 What the Sherife shall forfeit, which doth suffer an Escape, or doth take anything for an Escape. S. Escape 1. 2.

Hawkes.

15 How the Sherife shall use a Hawke which is found taken vp, and brought vnto him. S. Hawkes 1.

Beating an
offender.

16 For the punishment of the Sherife which letteth one go, which is not replevisible. S. Mainprise 3.

Knights of
the parliament.

17 For all the Sherifes dutie about the electing & returning of Knights of the Parliament, Burgeses of the Parliament, and leuying of their wages. S. Parliament 4.

Stoned
boyen.

18 Euery Sherife shall enquire of defaults in not keeping of Swinn Horses, & certifye the same into the Exchequer. S. Horses 1.

Inquire of
waft.

19 In what case and maner the Sherife vpon precept shall go to inquire of waft. S. Waft 1.

Forcible
entries.

20 The Sherife shall attend vpon a Justice of Peace, to arrest those which make any forcible entries. S. Forcible 1.

Returning
Juroys.

21 Whar Juroys, & of what sufficiencie the Sherife in federal cases shall rourne, and vpon whar paine. S. Juroys 1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100.

Purveyors.

22 In what maner the Sherife shall make purveyors for the Kings Horses and Dogg washing his Coarces. S. Purveyors 1.

23 By

23. By whom the Sherifes in Wales shall be appoinred, their authority, ac-
compt, courts, fees, &c. S. Wales 36. &c.

Wales.

24. Amerciaments of Sherifes for insufficient returns. S. Returns 11.

Returns.

25. Sherifes shall execute such proces which shall come to them from Iustices
of Peace, touching annoyanc of Bridges, S. Bridges 8.

Silke.

No person shall bring, or cause to be brought into this Realme of England to
be sold, any Silke wrought by it selfe, or with any other stufte in any place
out of this Realme, in ribbands, laces, girdles, coses, canles, coses of tissues, or
points, upon paine to forf. to the K. and any of his subjects that will seise the same
(the which to do, it shalbe lawfull to euerie of the K. subjects) all the same ribbands,
laces, &c. in whose hands soeuer they be found, or the value of the same. But it shall
be lawfull to euery person, as well strangers as other, to bring into this Realme all
other manner of silkes, as well wrought, as raw, or unwrought, to sell at his plea-
sure. And it shal be lawfull to all persons that haue any such ribbands, laces, girdles,
cables, coses of tissues, or points wrought beyond the Sea, brought into this land
by the K. licence, and to be sold, to make sale of the same. 19. H. 7. 21.

These things
wrought of
silke may not
be brought in
to England.

Sope Vessels.

Every Sopemaker putting to sale Sope, shall cause an emptie Barrell to con-
taine xxxij. gallons, or above, & not to be in weight aboute xxvj. pounnds, A halfe
barrell emptie not to weigh aboute xiiij. pounnds, & to containe xviij. gallons, or above,
An emptie firkin not to weigh aboute vij. pounnds & a halfe, and to containe viij. gal-
lons or above of full and iust measure, upon paine to forf. for euery vessell contrarie
iii. s. iij. d. to the K. and J. to be recovered by A. B. P. J. wherein no W. C. P. or
J. ac. 23. H. 8. 4. S. Cowpers 1. Iust. of Peace 79.

Spicerie, Spiceries.

All Spices, wares, drugges, and other Marchandizes garbleable, viz. pepper,
cloves, mace, nutmegs, cynamon, ginger, long pepper, wormseedes, cum-
minseedes, Anniseedes, Colianderseedes, Penny pepper, almonds, dates, galls,
gummes of all sorts & kinds garbleable, spikehard, galingall, turmericke, fetwell,
Cassia fistula, ginnie pepper, senie, barbertes, rice, erms, stanesaker, calamus, fen-
nicricke, Cassia, lignum, graines, carrawayseedes, and all other spices, drugges,
wares, and other Marchandizes that haue bin usually garbled, cleansed, seuered,
sofed, or diuided in the Citie of London, and the liberties thereof, shall to the uses
usually allowed in that behalfe, be sufficiently cleansed, seuered, garbled, and di-
uided, and after sealed by the garbler, thereunto appointed for the time being, or
by his sufficient deputie or deputies, seruant, or seruants, before that the same or
any part thereof shall be sold, upon paine of forf. of all & euery such spices, drugges,
wares, and other Marchandizes, or the value thereof, which shalbe sold. 1. Iac. 19.

Spices shall
be garbled &
sealed.

2. If any of the said spices, drugges, wares, & other Marchandizes shalbe mixed
with any garbles, matter, or thing whatsoeuer, after such time as the same shall be
first garbled, seperated, or diuided by the garbler thereunto appointed, or by his
sufficient deputie or deputies, seruant or seruants, and sealed as aforesaid: When
the said spices, drugges, wares, and other Marchandizes, or the value thereof shall
be wholly forfeited. 1. Iac. 19.

Spices mixed
after the gar-
bling thereof.

3. It shall and may be lawfull to and for the said garbler of spices, drugges, and

P v ij

marchan-

Spicerie, Spices. Statutes and Recognisances.

merchandizes within the said city of London and liberties thereof for the time being, & to and for his deputie & deputies, assignee or assignees, by vertue of this act, at all and euerie time & times, in the day time to enter into any shops, warehouses, or cellars within the said city or liberties thereof, wherein any such drugs, spices, wares, or merchandizes bought or sold, or mixed, contrary to the true meaning hereof, which haue bin accustomed to be garbled, shalbe, or shalbe suspected to be, and there to view, see, and search the same. And if he or they shall find any such spices, drugs, wares, or merchandizes there vngarbled, which haue bin accustomed to be garbled: then and so often it shalbe lawful to and for the said garbler, and his deputie, or deputies, assignee, or assignees, to garble, or cause his or their seruants to garble and make cleane the same. The one moitie of all forfeitures in this act mentioned shalbe to the R. his heires and successors, and the other moitie to him or them that will sue for the same by A. of debt, B. P. or J. in any Court of Record within England, wherein no C. P. W. P. or J. shalbe allowed. 1. Jac. 19.

Spices
brought in,
& after trans-
ported vngarbled.

4 If any Merchant, or any person or persons (other then Merchants Alien, or made, or to be made denizen) shall bring any spices, drugs, or other merchandizes that be garbleable within this Realme, and shall not offer the same to sale, or sell the same within the Realme, but shall bona fide, and without fraud or couer reserve or retaine the same vsold, to be transported out of the realm, and shal transport the same within 8. moneths, to be accounted from his first landing or arrival with such spices, drugges, or other merchandizes garbleable, by the promise and intention of this Act: for such spices &c. so to be transported vngarbled and not sold within this realme, no penaltie mentioned in this statute shalbe forfeited or incurred by any person or persons (other then merchants, alien, or denizen as aforesaid.) 1. Jac. 19.

Statutes and Recognisances.

Statute
Merchant.

Euerie Merchant that will be sure of his debt, shall cause his debtors to come before the Mayor of London, Justice, or Justice, or before some chiefe Warden of one of these, or some other good towne thereunto assigned by the King, & before the Mayor, chiefe Warden, or other sufficient men chosen and sworn thereunto, when the Mayor or chiefe Warden cannot attend, & before one of the Clerkes thereunto by the R. assigned, when both cannot attend, & to acknowledge the debt, & the day of payment. And the Recognisance shall be intolled by the hand of one of the Clerkes which shall be knowne, and the roule shall be double, whereof one part shall remaine with the Mayor or chiefe Warden, and the other with the said Clerke. And one of the Clerkes with his owne hand shall write the Obligation, to which writing the debtors Seale shall bee put with the Kings seale so that his promise, the which seale shall be of two pieces, whereof the great piece shall remaine with the Mayor, or chiefe Warden, and the other in the custodie of the foresaid Clerkes. And if the debtor doe not pay the debt at the day to him assigned, the Merchant shall come to the Mayor and Clerke with his writing obligatorie. And if it be found by the roll or writing, that the debt was knowledged, and the day of payment expired, the Mayor or chiefe Wardens shall cause the bodie of the debtor to be apprehended (if he be a lay man) whensoever he cometh within his iurisdiction, & committed to the prison of the same towne (if there be a prison) and there he shall remaine at his owne costs, untill he hath agreed for the debt. And the keeper of the towne prison shall receiue him by the deliuerance of the Mayor or chiefe Warden, and if he shall not receiue him, the keeper of the prison shall immediately answer the debt, if he haue wherewith, but if he haue not wherewith, he shall answer the debt which committed the keeping of the prison unto him.

The seale of
the Statute.

The debtor
imprisoned.

him. And if the debtoꝝ cannot be found within the power of the Bayoꝝ, oꝝ chiefe Warden: When the Bayoꝝ oꝝ chiefe Warden shall send the Recognisance of the debt under the kings soꝛesaid seale unto the Chauncerie, from whence shall be directed a writ to the Sherife, within whose Bailiwike the debtoꝝ may be found, that he shall take his bodie (if he be a lay man) and keepe him in safe prison, untill he hath agreed foꝝ the debt, and within a quarter of a yeare after he is taken, he shall haue his lands, & goods deliuered vnto him, so that with them he may liue and pay his debt, and it is lawfull foꝝ him within this quarter, to sell his lands and tenements to discharge his debt, and his sale shall be good. But if he doe not agree within the quarter, after the quarter of a yeare expyred, all the goods and lands of the debtoꝝ shall be deliuered to the Marchant by a reasonable extent, to hold vntill the debt be fully leuied, and neuerthelesse the bodie shall remaine in prison, and the Marchant shall find him bread and water. And if they which doe praise the moueable goods, which are to be deliuered to the creditoꝝ, doe praise them at too high a price in fauour of the debtoꝝ, and to the damages of the Creditoꝝ, the thing praised shall be deliuered to them foꝝ the price which they haue set, & they shall immediatly answer the Creditoꝝ his debt. But if the Debtoꝝ will say, that the moueable goods were sold oꝝ deliuered foꝝ lesse then they were woꝛth, thereof he shall haue no remedie, foꝝ that the goods were lawfully sold to him that would offer most foꝝ the same, foꝝ he may reckon it his owne folly, which might haue sold his goods befoꝝe the suit commenced, and leuied the money with his owne hands, and would not. And the Marchant shall haue in the land so deliuered to him, such seisin, that he may thereupon bring an Assise of Nouel disseisin, if he be put out, and a Redisseisin also, as of his freehold, to hold to him and to his assignes, vntill the debt be paid, and after the debt be leuied and paid, the body of the debtoꝝ shall be deliuered with his lands. And in the writs which shall be directed out of the Chauncerie, mention shall be made that the Sherife shall certifie the Iustices of the one Bench, oꝝ the other, at a certaine day, how he hath performed the kings commaundement, at which day the Marchant shall sue befoꝝe the Iustices; if he be not satisfied. And if the Sherife returne no writ, oꝝ returne that the writ came too late, oꝝ that he hath sent to the Baylifes of franchises (then the Iustices shall doe according as is contained in the statute of Westm 2.) And if the Sherife returne that the Debtoꝝ is not found, oꝝ is a Clerke, then the Marchant shall haue writs to all the Sherifes where he hath land, that they shall deliuer all the cattels and tenements of the debtoꝝ, by a reasonable extent, to hold to him and his assignes, in soꝛme afoꝛesaid: And neuerthelesse, he shall haue a writ to what Sherife he will, to take his bodie (if he be lay) and to hold it in soꝛme afoꝛesaid. And the keeper of the prison must keepe him safely, foꝝ he shall answer the body, oꝝ the debt. And after the debtoꝝs lands be deliuered vnto the Marchant, the debtoꝝ may well sell his lands, so that the Marchant receiue no damage by the appoynement. And the Marchants shall haue all their necessary damages & costs in trauell, suit, delay, and expences allowed vnto them, & if he be a Marchant stranger, he shall remaine at the costs of the debtoꝝ, soꝝ so long time as he tarryeth about the suit of his debt, and vntill the goods of the debtoꝝ be sold, oꝝ deliuered vnto him. And if the debtoꝝ do find pledges oꝝ sureties after the day passed, the sureties shall be vsed in all respects, as is afoꝛesaid of the principall debtoꝝ, concerning taking of their bodies, deliuering of their lands and other things. But so long as the debt may be fully leuied of the moueable goods of the debtoꝝ, the sureties shall receiue no losse. And when the debtoꝝs lands shall be deliuered to the Marchant, he shall haue seisin of all the lands which were in the debtoꝝs hands the day of the Recognisance knowledged, into whose hands soeuer they doe after come, either by feoffment, oꝝ other manner. And after the debt paid, the land, and the issues of the land of those which be debtoꝝs by feoffment

The Stat. certified in to the Chauncerie.

Execution of the debtors lands and goods.

The goods extended deliuered to the Creditor.

A remedie foꝝ tenant by Stat. Marchant being put out.

S. Returne of Sherifes.

The debtoꝝ not found, oꝝ a Clerke.

The Gaoler must answer the body, oꝝ the debt.

The Comtee shall haue his costs and expences.

Sureties.

Of what lands the Comtee shall haue execution.

ment

Statutes and Recognisances.

No execution
of an Infants
lands.
The penaltie
of the statute
read before
the debtoz.
Statutes in
Chester.

ment, shall aswell returne againe to the feoffors, as the other lands to the feoffors. And if the debtoz, or his heires die, the Merchant cannot take the body of his heire, but shall haue his lands in forme aforesaid, if he be of full age, or when he shall be of full age, vntill he haue leuied so much as his debt amounteth vnto. Before the Recognisances shall be inrolled, the penaltie of this statute shall be openly read before the Debtoz, so that he shall not after excuse himselfe by ignorance of the paine whereunto he bound himselfe, and the King shall haue in euery Towne where the Seale is to maintaine the costs of the Clerke j. s. of euery pound. Adon Burnell 11. E. 1. de Mercatoribus. 13. Edw. 1. And all Recognisances of statute Merchant, and Adon Burnell, which shall be knowledged, inrolled, & sealed with the Seale appointed to the Citie of Chester, before the Mayor of the same Citie, in like maner as the Mayors, and other Officers in the said Citie haue accustomed to take, inroule, and seale, shall be good and effectuell in the Law. 2. E. 6. 31.

Clerke of the
statute shall
haue sufficent,
& dwell vpon
his office.

2 Every Clerke which shall be deputed to receiue Recognisances in Cities and Boroughes, according to the statute Merchant, shall abide in proper person to doe his office, and shall haue lands sufficient in the same Countie, whereof he may answer all persons if he offend, and if there be any other in such an office, he shall be removed, and an other more meet be set in his place. 14. E. 3. 11.

Execution as
to inrolled vpon
a statute once
shewed in
Court.

3 Where a statute Merchant is certified into the Chancerie, and thereupon a writ awarded to the Sherife, and returned into the Common Place, & the statute thereon shewed, howsoever the proces after this shewing be discontinued, at what time the partie sueth to recontinue the proces, and to haue execution of the statute Merchant, the Iustices of the Bench in which the statute was once shewed, may vpon the same Record award & make full execution of the said statute, without ha- uing any other sight thereof after. Anno 5. H. 4. 12.

Statute
Staple.

4 To the intent that Contracts made within the Staple, shall be the better holden, & payments readily made, euery Mayor of the Staple hath authoritie to take Recognisances of debts that a man will knowledge before him in the presence of the Constables of the Staple, or one of them. And in euery Staple there shall be a Seale remaining in the custodie of the said Mayor, vnder the seales of the same Constables. And all Obligations which shall be made vpon such Recognisances, shall be sealed with the same Seale, paying for euery Obligation of 100. l. and vnder, of euery pound a halfe penie, and of euery Obligation aboue 100. l. of euery pound a farthing. And the Mayor of the Staple, by vertue of the same writing obligatorie so sealed, may take and hold in prison the bodies of the Debtors after the terme incurred, if they be found within the Staple, vntill they haue agreed with the Creditor for his debt & damages, and also arrest the goods of the said debtors found within the said Staple, & deliuer the said goods to the said creditors, according to the very value, or sell them at the best he may, & deliuer so much thereof to the Creditors, as the summe due. And if the Debtors cannot be found within the Staple, nor their goods to the value of the debt, that shall be certified into the Chancerie vnder the said Seale: vpon which Certificate, a writ shall be directed, to take the bodies of the said debtors, without letting them to baile, and to seise their lands, tenements, goods, & chattels. And the writs shall be returned into the Chancery, with a Certificat of the value of the said lands, tenements, goods, & chattels, & thereupon due execution shall be made from day to day, in maner as is contained in the statute Merchant, so that he to whom the debt is due, shall haue an estate of Feehold in the lands & tenements, which shall be deliuered vnto him by vertue of this processe, and shall recouer by Assise of Nouel disseisin, if he be put out. But the Debtoz shall haue no advantage of the Quarter of a yeare which is contained in the statute Merchant. But if the Creditor will haue no letters vnder the said Seale, but will stand to the faith of the Debtoz, if after the terme incurred, he demand his

Execution of
the bodie and
goods of the
Debtors.

The statute
certified into
the Chancery.

his debt, the debtor shall be credited upon his faith. 27. Ed. 3. 9. And if any Payor of the Staple, do receive any recognisance of debt again the forme aforesaid, he shall pay to the King one halfe of the summe knowledged before him. 15. R. 2. 9. S. 14.

5 The chiefe Justice of the Kings Bench, and the chiefe Just. of the Common Pleas, and every of them by himselfe, and in their absence out of the Terme, the Payor of the Staple at West. and the Recorder of the Citie of London for the time being, jointly together by his or their discretion, have authoritie to take Recognisances of knowledges of every of the Kings subjects for the payment of debts, according to such forme as hereafter ensueth.

6 Nouerint vniuersi per presentes me A. B. & C. D. Armig', teneri & firmiter obligari Joh. ac Steif. in centum libris sterling', soluendis eidem Johanni aut suo certo Atornato hoc scriptu ostendent heredes vel executoribus suis in tal' fest. &c. proxi' futuri post datum praesentis. Etsi defecero vel defecerim in solutione debiti p'dicti, volo & concedo &c. vel sic, volumus & concedimus, quatinus currat super me, hered' & executoribus meis vel super nos & quolibet nostru, hered' & executores nostros, poenis in Summ' stipulatis de debiti pro merchandis in ead' emptis recuperand' ordinat' & p'dictis. Dat. kalend. An. regni &c. 23. H. 8. 6.

7 And every Obligation that shall be made, as is aforesaid, and knowledged before any of the said chiefe Justices, or the said Payor and Recorder, according to this Act, shall be sealed with the seal of the partie or parties that shall recognise or knowledge the same, and also with the seal ordained for the same, and with the seal of one such of the said Justices, or with the seals of the said Payor and Recorder, and with his or their name or names subscribed, that so shall take the same recognisance or knowledge. And every of the said two Just. and the Payor and Recorder shall haue the custody of one such seal, by the King appointed, with one like print, scriptur, and fashion, which shall generally remaine with them, to the intent aboue rehearsed.

8 An honest and discreet person assigned by the King, or his sufficient deputie or deputies, shall make and write all such obligations as shall be knowledged and recognised by authority of this Act, and shall cause the same being knowledged and recognised into one as is abovesaid, to be inrolled in two severall rolles in writen, whereof one shall remaine with such of the said Justices, or with the said Payor and Recorder, that so shall take the same recognisance, and the other with the writer thereof, appointed by the said King, or the said person appointed for making writing and inrolling of such obligations, or his sufficient deputie or deputies, shall be dwelling by abiding in the Citie of London, upon paine to forfeit for every time that he shal be absent by the space of 5. dayes 10. pounds, and the said person so appointed, or his sufficient deputie or deputies, at the request of the creditor, or their creditors, or administrators, shall certifie such obligations, as shall be taken and recognised by authority of this Act, into the Chancery, under the seal of the person so appointed.

9 Every person and persons to whom any such Obligation shall be made, knowledged, and inrolled as is aforesaid, their executors and administrators, and the creditors and administrators of any of them, for default of payment of the debts contained in such Obligations, shall liue in every point, degree, & condition against the said recognisance, &c. every of them, their heires, executors, and administrators, &c. the heires, executors, and administrators of every of them, like and full execution, commitment, and advantage in every behalfe, as hath bene used and accustomed before this time to be had, done, executed, of and upon any obligation of the staple of the staple in any manner and forme as is for the time that the staple provided, paying in full before and execution to be had, for the same as is accustomed for payment & execution to be had upon obligations.

Recognisance in nature of the Staple.

The forme of the recognisance.

Sealing of a recognisance.

Clerke of the Statutes.

Certificat into the Chancery of the recognisance.

Execution upon a recognisance.

Statutes and Recognisances.

Audita querela.

The R. shall have an ob. in the R. upon execution.

The remedie for tenant by recognisance being disseised.

The Just. & Clerks for upon every recognisance.

In what cases recognisances by Stat. Staple may be taken.

The contents of Statutes shall be entered in the Clerks office.

The Stat. not entered void against the purchaser of the lands liable to the same.

tions of the same Statute of the Staple, and not above. 23. H. 8. 6.

10. Every such person or persons that shall be bounden, or otherwise grieved by vertue of any Obligation made by authoritie of this Act, shall have their like remedie by Audita querela, & all other remedies in the law, that they might have had, in case they had bin bounden by obligation of the Stat. of the Staple. 23. H. 8. 6.

11. Every person that shall have p[ro]cess for execution to be had, by reason of any Obligation to be made and knowledged according to this Act, shall pay to the King etc. at the sealing of the said p[ro]cess a halfe pennie for every pound, that shall be contained in the Obligation, whereof execution shall be required, & not above. 23. H. 8. 6.

12. Every such person and persons that shall have execution of any lands, tenements, or hereditaments, by reason of any such Obligation, made and knowledged, as is aforesaid, and their executors, administrators, or assignes, and the executors, administrators, and assignes, of every of them (if they or any of them be put out or disseised) shall have like remedie in every condition, as persons having execution, in and upon any Statute of the Staple, after execution of them had, may, or might have, by vertue of the said writing obligatorie of the Stat. of the Staple, and execution of the same. 23. H. 8. 6.

13. Every of the said Justices, and the said W[ar]ia[n]t and Recorder before whom any such Obligation shall be recogniz[ed], shall take for every knowledg of every one such recognisance, iij. s. iij. d. and not above. And the Clerke that shall write, make, and inroll the same iij. s. iij. d. And for the certifficat of every one such Obligation, x. d. And if any of the said Justices, W[ar]ia[n]t, Recorder, or Clerkes, take of any of the R. subiects above the summe or summes to them limited by this Statute: When the said Justices, W[ar]ia[n]t, Recorder, or Clerke, that shall take contrary to the forme aforesaid, shall saye for every time so offending to the R., and J. R. to be recovered by R. J. etc. wherein no W. R. etc. 23. H. 8. 6.

14. The W[ar]ia[n]t or Constable of the Staple, for the payment of any summe of money, shall take any knowledg or recognisance of the said Statute of the Staple of any of the R. subiects, upon paine to saye to the R. and J. for every time so offending, x. d. to be recovered by R. J. etc. wherein no W. R. etc. 23. H. 8. 6. But this Act is not prejudiciall to any W[ar]ia[n]t and Constables of the Staple, for any band or writing of the Statute of the Staple to be taken or received betwene Marchants being free of the same Staple, for marchandizes of the same Staple, betwene them lawfully bought and sold. 23. H. 8. 6.

15. The whole tenour and contents of all Statutes marchants and Statutes of the same Staple, hereafter to be knowledged, shall within six moneths next after such knowledging, be entered in the Office of the Clerke of Recognisances, taken according to the Statute made 23. H. 8. by the shewing forth of the said Statute marchant or Statute Staple to knowledges, unto the said Clerke, which said Clerke of the recognisance shall enter or cause to be entered the same Statute, in a booke for that purpose to be provided, and safely kept by him, taking viij. d. and no more for every such entrie. 27. Eliz. 4.

16. If the partie to whom any such Statute marchant, or of the Staple shall be knowledged, his executors or administrators, doe, or shall not within 3. moneths next after the knowledging of any such Statute, bring, and deliver, or cause to be brought and delivered unto the said Clerke, or his deputy or deputies for the time being, all and every such Statute and Statutes as shall be so knowledged to him, or to his use, whereby, and to the intent, that the said Clerke, his deputy, or deputies, may take & enter a true copy thereof: That every such Statute marchant and of the Staple not so entered shall be void, frustrate, and of none effect, against all & every such person and persons, bodies politike and corporat, their heirs, successors, executors, administrators,

administratoꝝ, & assigns onely, as shall after the knowledging of the said Stat. oꝝ any of them, purchase foꝝ money oꝝ other good consideration, the lands, tenements, oꝝ hereditaments, which were liable to the same statute marchant, oꝝ of the staple, oꝝ any part oꝝ parcell thereof, oꝝ any rent, lease, oꝝ profits, of, oꝝ out of the same. 27. Eliz. 4.

17 If the said clerke, oꝝ his deputie oꝝ deputies foꝝ the same being, shall not upon such shewing & deliverie vnto him oꝝ them of any statute marchant, oꝝ of the staple, enter, oꝝ cause to be entred the same in his said booke, within the said time of 6. monethes, & also endoꝝce vpon euery such statute so by him entred, the day and yeare of his said entrie, with his oꝝ their owne name: Then euery such clerke sayling, oꝝ defectiue in that behalfe, shall foꝝfe & lose foꝝ euery statute marchant and of the staple so brought vnto him oꝝ them, & not entred & endoꝝced, oꝝ caused to be entred & endoꝝced as afoꝝesaid, the summe of x. l. The one moitie whereof to be to the Quenes Maiestie, her heires, oꝝ successoꝝ, and the other moitie to him oꝝ them that will sue foꝝ the same in any of the M. Courts of Recoꝝd, by A. of debt, B. p. oꝝ J. wherein no C. p. oꝝ W. 27. Eliz. 4.

The Clerke not entring oꝝ endoꝝcing a statute brought vnto him.

18 No Clerke of the said Recognisances shall oꝝ may take, foꝝ, oꝝ in respect of any search to be made, foꝝ, oꝝ concerning any statute marchant, oꝝ of the staple, so to be entred, as afoꝝesaid, aboue y. d. foꝝ one yeares search, and so after the rate of y. d. foꝝ euery yeare, and not aboue, vpon paine to foꝝfeit and lose to the partie oꝝ parties grieved thereby, twentie times as much as he shall take contrarie to the true meaning of this Act, to be recovered in any of the M. Iustices Courts of Recoꝝd, by A. of debt, B. p. oꝝ J. wherein no p. oꝝ W. of law shall be allowed. 27. Eliz. 4. 39. Eliz. 18.

Clerke of the recognisances sue foꝝ search.

1 In what maner execution shall be made of lands in Wales, vpon a statute or Recognisance. S. Wales 67.

2 No Statute or Recognisance shall bee auoided by a fained Recouerie. S. Recoueries 9.

3 He which sueth to defeat execution vpon a Statute, shall find suertie to the K. and the partie. S. Corpus cum causa 2.

4 Oblations taken in the Court of wards, shall be of the same strength as a statute staple. S. Wards 27.

5 Oblations made to the King, shalbe of the same strength, as a statute staple. S. Accompt. to & c. 1.

6 Oblations taken of Ecclesiasticall persons for their first fruits, be of the same strength as a statute staple. S. Ecclesiasticall & c. 25.

7 A remedie for the Conisee where lands taken by him in execution be recovered. S. Execution 3.

8 The lands of certaine Amcoptants to the King shalbe liable to the payment of their arrearages, & be put in execution, as if they were bound in statute staple. S. Accompt. & c. 29.

9 The force of Recognisances taken before the Maior and Constables of the staple beyond the sea. S. 10. H. 6. 1.

Steele.

If any person do foꝝge oꝝ make any gads of Iron, called Bilbois Iron, like to the fashion and maner of gads of Steele, oꝝ doe utter oꝝ put to sale any such gads of any Iron, he shall foꝝfeit foꝝ euery gad so foꝝged, uttered, oꝝ put to sale, foure pence to the K. and J. to be recovered by A. B. p. J. & c. wherein no W. & c. C. p. & c. 2. E. 6. 27.

Stealing,

Stealing, Felonie. Suggestion. Surgeons.

Stealing, Felonie.

Servants
stealing their
Masters
goods.

All and singuler such servants, to whom any caskets, iewels, money, goods or cattels by his or their masters or mistresses, shall from henceforth be delivered to keepe, if any such servant or servants withouthim or them from their said Masters, or Mistresses, and goe away with the said caskets, iewels, money, goods or cattels, or any part thereof, to the intent to steale the same, and defraud his or their said Masters or Mistresses thereof, contrarie to the confidence & trust to him or them put by his or their said Masters or Mistresses, or else being in the service of his said Masters or Mistresses, without assent or commandement of his Master or Mistresse, he imbezill the said caskets, iewels, money, goods, or cattels, or any part thereof, or otherwise convert the same to his owne use, with like purpose to steale it: If the said caskets, iewels, money, goods, or cattels, that any such servant shall goe away with, or which he shall imbezill, with purpose to steale it, as is aforesaid, be of the value of xl. shillings, or above: Then the same faulte, fraudulent, and untrue act and demeanour from henceforth shall be deemed and adjudged Felonie. And he or they so offending, to be punished as other felons be punished for Felonie committed by the course of the Common Law. Provided alwaies that this act, or any thing therein contained, shall not in any wise extend, or be prejudiciall to any Apprentice, or Apprentices, nor any person within the age of eightene yeares, going away with his or their Masters goods, or iewels, or otherwise converting the same to his or their owne uses, during the time of their Apprenticeship, or being within the same age of eightene yeares: But that every Apprentice, or Apprentices, such person or persons being within the said age, doing or offending contrarie to this present Act, shall be and stand in like cases, as they and every of them were before the making of this Act. 21 Hen. 8. 7. 5. Elizabethæ. 10.

Suggestion.

If any man doe make a Suggestion to the Kings Maieste, he shall be sent with the same Suggestion to the Lord Chauncello, Treasorer, and the Kings great Councell, and there shall find suertie to pursue his Suggestion, & then proces shall be awarded against him of whom the Suggestion is made, without being taken, or imprisoned. 37 E. 3. 18. And if he which maketh the complaint cannot proue his Suggestion, he shall be sent to prison, untill he hath agreed with the partie for his damages, and slander, and after shall make fine and ransom to the King. 38 E. 3. 9. And the Chauncello of England hath authoritie to award damages to him which is troubled in the Chauncerie, or in some aforesaid wrongfully. 17 R. 2. 6. S. Accusation 1.

1 Where he that sueth for a Prohibition shall make a Suggestion and proue the same. S. Prohibition 10.

Surgeons.

Surgeons in
London ad-
mitted by the
Bishop.

No person within the Citie of London, nor within 7. Miles of the same, shall take upon him to exercise and occupie as a Surgeon (except he be first examined, approued, and admitted by the Bishop of London, or by the Deane of Paules, calling to him foure persons expert in Chirurgie) upon paine of forfeiture for every person that any person doth occupie as a Surgeon, not admitted, nor examined in some aforesaid, v. pounds to the B. and 3. to be recovered by

by A. of debt, wherein no W. 4c. C. 10. 4c. But this Act shall not be prejudiciall to the Universities of Oxford and Cambridge, or any liberties granted to them.

3. H. 8. 1. 1. A person out of the said Citie and precinct of seven myles of the same, (except he hath bene appoynted in the same) shall take upon him to occupie as a Surgeon in any diocesse within this Realme, but if he be first examined and appoynted by the Bishop of the same diocesse, or he being out of the diocesse by his Vicar general, either of them calling to them such expert persons in the said facultie, as they shall thinke convenient, and giving their letters testimoniall under their seals to shew that they shall so appoynt, upon paine of forfeiture of five pounds for everie moneth that any doth occupie, not admitted nor examined in so; me aforesaid 4c. But this Act shall not be prejudiciall to any of the aforesaid Universities 4c. 3. H. 8. 1. 1. Notwithstanding the aforesaid Statute, it is lawfull to everie person, being the Kings Subject, having knowledge and experience of the nature of herbes, cotes, and waters, or of the operation of the same, by speculation or practise, within any part of the Kings Dominions to practise, vse, and minister, in, and to any outward so;e, tuncome, wound, apostemations, outward swelling, or disease, any herbe or herbes, ointments, bathes, pultes, and implasters, according to their cunning, experience, or knowledge in any of the diseases, so;es, and maladies beforesaid, and all other like to the same, or drinks for the Stone or strangurie, or agues, without trouble or penaltie 4c. 3. H. 8. 8. And so;e asmuch as the science of Physicke doth containe the knowledge of Chirurgie, as a speciall member and part of the same: any of the company of phisicians within the citie of London being able, chosen, and admitted by the President and fellowship of the Phisicians in London, may from time to time, as well within the citie of London, as elsewhere within this Realme, practise and exercise the said science of phisicke, in all and everie his members and parts. 3. H. 8. 4. 9.

Surgeons
shall be ap-
pointed by the
Bishop of the
Diocesse.

Helpers of out-
ward so;es.

The Phisici-
ans of London
may practise
Chirurgie.

Surgeons
and Barbo;es
made one
Company.

Surgeons
exempt from
bearing Ar-
mor, watches,
and enquests.

119. Nota-
mies.

3. By the Statute of 32. Henrici 8. 4c. it was ordained, that the two severall companies of Barbo;es and Surgeons in London, and everie person of them being a freeman of either of the said Companies after the custome of the said Citie, and their successors, should be from thenceforth united and made one entice and whole bodie corporate, and one Communaltie perpetuall, which should be called by the name of Masters and Governours of the Mysterie and Communaltie of Barbo;es and Surgeons of London for ever, and by none other name, and by the same name to implead and be impleaded befo;e all Justices, in all Courts, in all actions and suits, and to purchase to them and their successors, all land 4c. rents, and other possessions, and also to have a common Seale, and by the same name to enjoy all such lands 4c. which the Companie of Barbo;es then had, and to enjoy all benefits, graunts, fraunchises, liberties 4c. at any time graunted to the said Companie of Barbo;es. And that they and their successors, shall have the search, oversight, punishment and correction, as well of freemen as of so;reiners, for such offences as any of them shall commit against the good order of Chirurgie, as befo;e time amongst the Companie of Barbo;es hath bene used. And that all persons of the said Companie incorporate, and their successors, that shall be lawfully admitted and appoynted to occupie Chirurgie (after the forme of the Statute of 3. H. 8. 1. 1.) shall be exempt from bearing of Armour, or to be put in any watches or enquests: But everie such Surgeon, and Barbo; shall pay such scot and lot, and other charges, as they and their predecessors have accustomed to pay within the said Citie. And that the said Masters and Governours, and their successors yearly for ever, after their discretions, at their free libertie, shall and may have and take without contradiction foure p;ecious condemned, adjudged, and put to

Surgeons. Suit of Court.

four govern-
ors of the
Corporation.

death by the order of the lawes of this Realme for Anotamies, without any further suite or labour to be made to the King &c. for the same, and to make incision of the same dead bodies, or otherwise to order the same at their pleasures, for the better knowledge and experience in Chirurgie. And that at times accustomed, there shall be chosen by the same companie four Masters and Governours of the same Corporation or Companie, of the which foure, two of them shall be expert in Chirurgie, and the other two in Barberie: Which foure Masters, and everie of them, shall have full authoritie from time to time during their said office, to have the oversight, search, & correction of all such defaults and inconveniences as shall be found among the said Companie using Barberie, or Chirurgie, as well of freemen, as forreiners and strangers within the Citie of London, and circuit aforesaid, after their discretions.

No Barboz
in London
shall use Sur-
gerie.

4 No person within the Citie of London, Suburbs of the same, and one myle compasse of the said Citie, using any barberie or shaving within the said citie, suburbs, or one myle circuit of the same Citie, nor none other for him, or to his use, shall occupie any Chirurgie, letting of blood, or any other thing belonging to Chirurgie (saving of teeth onely excepted) upon paine to forfeit for every moneth offending to the contrarie, five pounds to the Duene and Inward, to be recovered by Action, &c. wherein no W. &c. C. P. &c. 32. H. 8. 42.

No Surgeon
shall use the
craft of Bar-
berie.

5 Whosoever bleseth the mysterie or craft of Chirurgie within the circuit aforesaid, as long as he shall use the same, shall not occupie the craft of Barberie or shaving, neither by himselfe, nor by any other for him to his use, upon the paine aforesaid. 32. H. 8. 42.

Everie Sur-
geon shall have
a signe at his
doore.

6 All persons using Chirurgie, as well freemen as forreins and aliens within the said Citie of London, the Suburbs thereof, and one myle compasse of the said Citie, shall have an open sight on the streete side, where they shall dwell, that all the Kings liege people there passing by, may know at all times whither to resort for their remedies in time of necessitie, upon paine aforesaid. 32. H. 8. 42.

None shall be
barboz in Lon-
don, but a free
man.

Each man may
have a Sur-
geon or Bar-
boz for his
servant.

7 No person shall keepe any shoppe of Barberie or shaving within the Citie of London (except he be a freeman of the same corporation and company) upon the paine aforesaid. But it is lawfull to any of the Kings subjects, not being a Barboz or Surgeon, to retaine and keepe in his house, as his servant, any Barboz or Surgeon, which shall and may use those faculties of Barberie and Chirurgie, or either of them in his masters house, or elsewhere, by his masters licence or commaundment. 32. H. 8. 42.

1 No stranger, being a common Surgeon, shall be interpreted a handicrafts man. S. Aliens 13.

Suit of Court.

NOne that is infeoffed by deede, shall be distrained to doe suite in the Court of his Lord, without he be specially bound thereunto by the forme of his deede (onely those except, whose ancestors, or they themselves have used to doe such suit &c.) And they that are infeoffed by deede to doe a certaine service, as for service of so many shillings by yeare to be acquitted of all service, shall not be bound to doe such suits, or other like, contrarie to the forme of their feoffment. Marl. 52. H. 3. 9.

One suit for
severall copy-
tenants of the
manor.

2 If any inheritance, whereof but one suite is due, descend unto many heires, as to parceners, who so hath Enitiam partem, shall doe the one suit for himselfe, and his fellowes. And other copyholders shall be contributours for their portion, so doing

ing such suit. And if there be diuers feoffees of an inheritance, whereof but one suite is due, the Lord of the fee shall haue but that one suite, and shall not exact of the said inheritance but one suite, as hath bene used to be done before. And if those feoffees haue no warrant or meane which ought to acquite them, then all the feoffees, according to their portion shall be contributory, for doing the suite for them.

Swannes.

If any person, or other to his use, shall haue or possesse any marke or game of Swannes of his owne (except hee haue lands and tenements of estate of freehold, to the yearly value of five markes, above all yearly charges) then any other person being the Kings subjects, hauing lands to the yearly value of five markes, may seise the said Swannes as forfeited to the use of the King and himselfe.

Ed. 4. 6.

1 It is not lawfull to take Swannes eggs out of the nestes. See Haukes 3.

Eclane 6.

Taile.

If lands be given to a man and to his wife, and the heires of their two bodies begotten, with condition that if the said husband and wife doe dye without heire of their two bodies begotten, the land so given shall reuert to the donoꝝ, or his heire. Or if any man give land in franke marriage, which gift hath a condition annexed (though it be not expressed in the deed of gift) videlicet, That if the husband and wife doe dye without heire of their bodies begotten, the tenement so given shall reuert to the donoꝝ, or his heire. Or if any man give land to one, and to the heires of his bodie lawfully begotten, in the foresaid cases, the will of the donoꝝ shall be obserued, according to the forme expressed in his deed of gift, so that they to whom the tenement is giuen upon condition, haue not power to alien the tenement so giuen, whereby the same tenement shall not remaine vnto their issue to whom it was giuen after their decease, or reuert to the donoꝝ or his heire, if the donoꝝ haue no issue, or if hee haue issue, and that issue die without issue. For the second husband of such a woman shall haue any thing in such land conditionally giuen after the death of his wife, by the curtesie of England. For the issue of the second husband and wife shall haue any inheritance: But immediately after the death of the husband and the wife to whom the tenement was giuen, the same shall reuert vnto their issue, or to the donoꝝ or his heire.

In gifts in taile, the donoꝝ will shall be obserued.

13. Ed. 1. 14. 40.

11 A fained recoverie had against tenant in taile of lands whereof the reuerſion or remainder is in the king, shall not conclude the heire. S. Recoveries 1.

12 Where a fine leuied by tenant in taile, shall conclude the heire in taile, and where not. S. Fines 14. 17.

13 Lands entailed shall be charged to the payment of the debts which the ancestor brought to the King. S. Accompt to the King 6.

14 Where lands entailed shall be forfei by attainder of high treason, and where not. S. forfeiture 2.

15 What Lease made by tenant in taile shall binde his heirs. S. Leases 1. 2. S. Recoveries 4.

16 Presentation to a Church by an vsurper, during the estate of tenant in taile, shall not preiudice him in the reuerſion. S. Aduowſon 1.

Tame beasts. Tenth.

Tame beasts.

Cutting out
of Beasts
tongues.

Whofoener doth maliciously, unlawfully, and willingly cut, or cause to be cut out, the tongue of any tame beast of any other persons, the said beast then being in life, shall lose unto the partie grieved treble damages, to be recovered by A. of Trespasse, and shall forfeit to the King tenne pounds for a fine. 37.H.8.6.

2 If any Trespasser be attainted that he hath taken tame beastes or other thing in his parke by manner of robberte, in comming, tarrying, or returning, let the common Law be executed upon him, as upon him that is attainted of open theft and robberte, as well at the suite of the King as of the partie. Westminster 1.3.Ed.1.20.

Tenth.

3 Tenth re-
served upon
Abbey lands.

AN.27.H.8.27. It is enacted, that upon all and singular letters Patents to be made under the great seals of England, of any Panoys, Lands, Tenements, and Hereditaments, belonging to any of the houses comprised in the Act made 27. Hen.8. (provided for the dissolution of Monasteries and other Religious houses, having not Lands, Rents, or other Hereditaments, above the cleere yearely value of CC. l.) to any person or persons, or bodie politique, for any estate of inheritance, there should be alwaies reserved to the King, his heires and successors, a tenure by knight's service in Capite, and a yearely rent of the tenth part of the yearely value of the lands to be comprised in every such letters Patents, according to such rate as the same lands &c. given shall be expressed to be of a yearely value in the same letters Patents: Any thing or clause contained in warrant to the contrary thereof notwithstanding, and that none annerement shall be made or admitted, by, or for the King, or any other person, that the manors, lands, and tenements, be of more yearely value then in the same Letters Patents shall be declared.

3 remembre for
the Tenth
be retained.

2 An 33.H.8.39. It is enacted, that if any person, or bodie politique, to whom the King hath by his Letters Patents under his great Seale, or Seale of the court of Augmentations, given, or shall give with reversion of rent, any lands, tenements, rectories, or other hereditaments, which were or shall be in the order and survey of any of the Courts of his Exchequer, Duchy of Lancaster, Augmentations, Surveio general, Master of the wards and Lineries, or Court of the first Fruits and Tenths, to be had to them and to their heires or successors, or for any other estate of inheritance, or for terme of life or lives, yielding and reserving to the King, his heires or successors, one yearely rent at one certaine day or feast, in the same Letters Patents expressed, and to be paid in the same Courts, that if the same person, bodie politique, his heires, successors, or assignes or any of them, do not truly pay unto the Treasurers, or to the generall or particular Receiver of the same severall Courts assigned for the same, to the use of the King, at the day or feast limited by the same Letters Patents, or within thre moneths next after, all such summes of money reserved by the same Letters Patents, or make sufficient tender thereof to the said Treasurer, or generall or particular Receiver: that then the same person, bodie politique, his heires, successors, or assignes, for default of payment thereof, to forfeit to the King, his heires and successors, so much money as the fourth part of the same rent reserved for one yeare doth amount unto, in the name of a paine, above the same rent reserved. And if he, his heires or assignes doe not pay or tender the rent within halfe a yeare after the day expressed in

in the Letters Patents, and also the said money for: in the name of a paine, then he shall forfeit to the King so much money as the moitie of the rent reserved for one year doth amount unto, besides the rent reserved, and so to forfeit for everie halfe year after so much money as the whole rent reserved for one whole year doth amount unto, for the which rent, arrerages, and paine, the said Treasourer and Receiver may distraine, and the head officer of the Court upon certificat, may award forth proccesse against the offender for the rent and forfeitures. And if any person pay the said Tenth, and bring an Acquittance, the Treasourer, or Receiver, after the receipt thereof, shall signe the Acquittance, without taking any thing therefor, upon paine of forfeiture of xl. shillings, and if the partie bring no acquittance, but that the Treasourer or Receiver doe make and signe one, he shall take but iij. s. upon paine of forfeiture of xl. s.

3. All Letters Patents made by King Hen. 8. since 4. Feb. Anno 27. of his Reigne, and by King Ed. the 6. since 28. Januarij, Anno primo of his Reigne, of Bargaines, sales, gifts, exchanges, or otherwise, & sealed with the great Seale of England, or with the great Seale of the Duchy of Lancaster, shall be good, perfect, and available to all intents and purposes, according to the said Letters Patents: The nonage of the said King Ed. 6. as Duke of Lancaster, the lacke, or losse of the particulars, or bill signed of the Patentees, or any Act, Statute, or lawes, for, or concerning any tenures, reservations of rents, or tenths, to the contrarie notwithstanding. 7. Ed. 6. 3.

1. Which Ecclesiasticall persons shall pay Tenths, and vpon what paines. S. Ecclesiasticall &c. 28. 29.

2. Tenths shall be paid out of the lands of Colledges, Chauntries, Free chapels, &c. S. Monasteries 27.

3. The Successors remedie which payeth a Tenth due by his Predecessor. S. 27. H. 8. 8.

4. In what place the Bishops of Chester, Glocestor, Peterborough, Bristow, and Oxford, shall pay their Tenths. S. 38. H. 8. 17.

Tenure.

All Honors, Castles, Manors, Lands, Tenements, and other Hereditaments, holden of the King &c. by Knights service, Socage, or otherwise, as of any of his Dukedomes, Earledomes, Baronies, Castles, Manors, Lands, Tenements, fees, or Seignories, which be come to the King, or his Progenitors, or hereafter shall come to him, his heires or successors, by meanes of any attainder of Treason, Conspiracy of Treason, attainder of Rebellion and Præmunire, had and done by Act of Parliament, by verdict, confession, conviction, outlawrie, or of any dissolution, surrender, or giving up of any Religious or Ecclesiasticall houses or places, or of any lands, tenements, or hereditaments, to any of the said houses or places belonging, shall not be abridged to any intent to be holden in Capite, or as Tenure in Capite. 1. Ed. 6. 4. Magna Charta. 9. H. 3. 31. 1. Ed. 3. 13.

2. This Act shall not be prejudiciall to the King &c. concerning any wardship, Liverie, Primer seisin, fine for Alienation, or for any other profit comming to him from any person holding any lands, tenements, or other hereditaments of his Grace in chief, as of his person, or of any other his auntient possessions, & being not come to him by any such attainder, conviction, outlawrie, dissolution, giving up, or surrender, as be abovesaid. 1. Ed. 6. 4.

3. This Act shall not give any libertie or profit to any Tenant or Downer in fee simple, of any lands, tenements, or other hereditaments, which have heretofore

3. Confirmation of Patents, though the Tenth be not reserved.

No tenure in Capite by reason of lands comming to the K. by attainder, or other title.

Tenure of the King in chief as of his person.

Conclusion of tenure by matter of Record.

inued any speciall, or generall Writte, or Ouster lemaine, but of the hands of the
 is: or of any his progenitors, of any lands, or by what tenure or service they were,
 or be holden, or that have, or shall confesse by any matter of Record, any tenure
 in chief of the King, but they, their heires and assignes shall have and hold the
 same lands etc. in like manner, as they did before the making of this Act etc. 1.
 Edw. 6.

Tenures by
 certainty found
 by office.

14 Where any Inquisition of Office shall be found by these words, or like,
 Quod de quo, vel de quibus tenementa predicta tenentur, Juratores predicti igno-
 rant, or else found holden of the King Per quod servitia ignorant, or such like, in such
 case, such Tenure so uncertainly found, De quo, vel de quibus predicta tene-
 menta tenentur ignorant, shall not be taken for any immediate tenure of the King:
 For such tenure so found of the King, Per quod servitia ignorant, shall not be taken
 any tenure in Capite, but in such cases a Melius inquirendum shall be awarded,
 as hath been accustomed in old time. 2. Ed. 6. 8.

The feoffor
 shall hold of
 the chief
 Lord, & not
 of the feoffee.

It is lawfull for every freeman to sell his lands, or tenements, or part there-
 of, at his owne will, so that he which is infeoffed shall hold the same land or tene-
 ment of the chief Lord of the same fee, by the same services and customes whereby
 his feoffor held before. And if he sell part of his land to any man, the feoffee shall
 hold immediately of the chief Lord, and shall be forthwith charged with so much
 of the services, as doth or ought to belong to the chief Lord for that parcell, accord-
 ing to the quantitie of the land sold, and so in this case, the same part of the service
 shall remaine to the Lord, to be taken by the hands of the feoffee, for the which he
 shall be attendant to the Lord, according to the quantitie of the land sold for the
 parcell of the service due. By such sales or purchases, no lands or tenements, or
 any parcell of them shall come into Mortmaine contrarie to the Statute thereof
 made. But this Statute extendeth onely to Lands sold, which be holden in fee
 simple. West. 3. 1. Ed. 1. Quia emptoris terrarum.

A tenure in
 Capite refer-
 red upon cer-
 taine Abbey
 land.

6 Anno 27. H. 8. 27. it was enacted, That upon all and singular Letters pa-
 tents to be made under the great Seale of England, of any manors, lands, tene-
 ments, or hereditaments (belonging to any of the houses compiled in the Act pro-
 vided 27. H. 8. for the dissolution of Monasteries, and other Religious houses,
 having not lands, rents, or other hereditaments, above the cleere yearly value of
 100. pounds, and committed to the suruys of the Court of Augmentations) to any
 person or persons, or bodies politike, for any Estate of inheritance, there shall be
 alwayes reserved to the King, his heires and Successors, a tenure by Knights ser-
 vice in Capite: Any thing or cause contained in warrant to the contrarie thereof
 notwithstanding. After by the Statute made 35. H. 8. 14. and 37. H. 8. 20. it
 was provided, that the said King Hen. 8. might at his pleasure, during a certaine
 time, reserve upon his Letters Patents graunted of certaine lands in the said
 Statutes mentioned (not exceeding the yearly value of 11. shillings, which were
 belonging to any of the forenamed dissolved Monasteries) certaine other tenures,
 and not in Capite.

The Patents
 of King H. 8.
 and Ed. 6. com-
 menced, nota
 notwithstanding
 the omission
 of Tenures.

7 But by the Statute of 7. Ed. 6. 3. it was ordained, That all Letters Patents
 made by King H. 8. sithence 4. Feb. Anno 27. of his Raigne, and by King Ed.
 ward the 6. sithence 28. Januarij, Anno primo of his Raigne, of bargaines, sales,
 gifts, exchanges, or otherwise, sealed with the great Seale of England, or with
 the great Seale of the Duchy of Lancaster, shall be good, perfect, and available to
 all intents and purposes, according to the said Letters patents: The nonage of
 the said King Ed. 6. as Duke of Lancaster, the lacke or losse of the particulars,
 or bill signed of the Patentees, or any Act, statute, or lawes, for, or concerning any
 tenures, reservations of rents, or Tenthes, to the contrarie notwithstanding.
 7. Ed. 6. 3.

1 What tenure of the King doth draw to him Wardship, and whar not. S. Wardes 17.18.

2 He which holdeth his land by new Escheat of the king, holdeth not in Capite. S. Prerogative 8.

3 Eche Coparcener of lands holden of the king in Capite, shall have part of the same lands, and hold by the same tenure. S. Partion 1. Prerogative 6.

4 Where lands holden of a common person comming to the Kings hands shall be graunted over to another, the tenure shall be renewed. 7. Ed. 4. 5.

Tyles.

Euerie person which shall vse the occupation of making of thack Tyle, rose Tyle, crest Tyle, corner Tyle, or gutter Tyle, shall make it good, seasonable, able, sufficient, and well whited and annealed, and the ground whereof any such Tyle shall be made, shall bee digged, and cast up, before the first day of November, next before that they shall be made, and the same earth shall be stirred and turned before the first day of Februarie then next following, and the same earth before it be put to making of Tyle, shall bee truly wrought and tried from stones, and also the vaines called Mayline, or Sparle, and Chalke (lying commonly in the ground nere to the land convenient to make Tyle) after the digging of the said ground, whereof any such Tyle shall be made, shall bee well and truly seuered and cast from the earth, whereof any such Tyle shall be made. 17. Ed. 4. 4.

The preparation of the earth for the making of Tyle.

2 Euerie such plaine Tyle shall containe in length ten ynches and a halfe, and in breadth vi. ynches and a quarter, and in thiknesse halfe an ynce and halfe a quarter at the least: And euerie such rose Tyle, or crest Tyle, shall containe in length xij. ynches, and the thiknesse of halfe an ynce and halfe a quarter at the least, with convenient depense according: Euerie gutter Tyle, and corner Tyle shall containe in length x. ynches and a halfe, with convenient thiknesse, breadth, and depth according. And if any person set to sale any such Tyle made against the foresaid ordinance, then the seller shall forfeit to the buyer the double value of the same Tyle, and besides shall make fine to the king at his pleasure. And euerie person that feleth himselfe grieved, and will sue, shall haue an Action of debt against the offendor, and the plaintife (if it bee found with him) shall recover his costs &c. wherein no W.C.P. 31. 17. E. 4. 4.

The length, breadth, and thiknesse of Tyle.

3 The Justices of Peace within any Countie of this Realme, and euerie of them, haue power to enquire, heare, and determine the defaults and offences done against this Act, and if it bee found, or may appeare to the said Justices, or any of them, by examination, or otherwise by their discretions, that any person hath offended contrarie to this Act: then the same Justices shall assesse vpon the offendor no lesse fine, then for euerie thousand of plaine Tyle set to sale contrarie to this Act v. s. And for euerie hundred of rose Tyle vi. s. viij. s. And for euerie hundred of corner Tyle, or gutter Tyle y. s. And if lesse be put to sale, or sold, lesse fines shall be payed therfore, according to the rate thereof, by the discretion of the said Justices, or any of them. 17. E. 4. 4.

Justices of P. shall heare & determine the offences of Tyle making.

4 And the same Justices haue power to call before them, or any of them, such, and so many persons, as shall haue best experience or knowledge in the occupation of making of Tyle, to search, and examine the digging, casting, turning, parting, making, whiting, and annealing aforesaid. And they which so shall be assigned Searchers, shall haue power to make such search. And no person shall put such Tyle to sale, before it bee searched by the said Searchers, vpon paine of forfeiture of the same. And if the same Searchers, or any of them do find, that any person exercising the occupation of Tyle making, do offend contrarie to this ordinance,

Searchers of Tyle.

Tythes, Oblations, &c.

nance, then they shall present such defaults before the said Justices at their next Sessions, and everie such presentment shall be as effectuell in the law, as the presentment of xx. men. 17. Ed. 4. 4.

The Searchers for and duty.

5 And such Searchers shall have of everie Tile maker for everie thousand of plaine Tile searched, a peny, of everie hundred rose Tile, ob. and of everie hundred corner Tile, and gutter Tile, a farthing. And the same Searchers shall doe their effectuell diligence in this behalfe, according to this ordinance, upon paine of forfeiture to the King for everie default tenne Shillings. 17. Ed. 4. 4. S. Justice of Peace 97.

Tythes, Oblations, &c.

The Decree for the payment of Tythes in London, and the Liberties

Such order and direction as was made and Decreed by the Archbishop of Canterbury, and certaine Lords and Knights, to whom as well the Parsons, Vicars, and Curates of the Citie and Liberties of London, as the Citizens and Inhabitants of the same did compromit, and put themselves, concerning the payment of Tythes, Oblations, and other duties, within the said Citie, and Liberties of the same, and is inrolled in the Chancery of Record, shall be as an Act of Parliament, and shall binde as well all Citizens, and Inhabitants of the said Citie, and Liberties, as the Parsons, Vicars, and Curates, and their successors for ever, according to the purport and intent of the said Order and Decree, which Decree beareth date 24. die Feb. Anno Domini 1544. and is as followeth. 37. H. 8. 12.

The Decree.

2 The Citizens and Inhabitants of the Citie of London, and Liberties of the same, shall verely without fraud for ever, pay their Tythes to the Parsons, Vicars, and Curates of the said Citie, and their successors, after the rate following, videlicet, of everie tenne Shillings rent by the yeare of all Houses, Shops, Warehouse, Sellers, and Stables, and everie of them within the said Citie and Liberties of the same xvj. pence halfe peny. And of everie xx. s. rent by the yeare y. s. ix. d. and so above the rent of xx. s. by yeare, ascending from x. s. according to the rate aforesaid.

A house rented at x. s. shall pay xvj. s. ob. for Tythe.

3 Where any Lease hath bin, or shalbe made of any dwelling house or houses, shops, warehouses, sellers, or stables, by fraud, reserving lesse rent then hath been accustomed, or without any rent reserving, by reason of any fine payed before hand, or by any other fraud, then the Farmor thereof shall pay for his Tythes of the same after the rate aforesaid, according to the quantitie of such rent, as the same houses, shops, warehouses, sellers, or stables, or any of them were last letten for, before the making of such Lease.

Leases reserving no rent, or lesse then hath bin accustomed.

4 Everie owner, or inheritour of any dwelling house, warehouse, seller, stable, and shop, within the said Citie, or Liberties, inhabiting or occupying the same himselfe, shall pay after such rate of Tythe, as is abovesaid, after the quantitie of such verely rent, as the same was last letten for.

Owners inhabiting their owne inheritance.

5 If any person shall take any mease, or mansion place by Lease, and the taker thereof, his executors or assignes shall inhabite in part thereof, and shall let out the residue, then the first taker, his executors or assignes shall pay his Tythes after the rate aforesaid, according to his quantitie therein. And his assignes shall pay their Tythes after the rate abovesaid, according to the quantitie of their rent by yeare. And if any person shall take divers mansion houses, shops, warehouses, sellers, or stables in one Lease, and shall let one or more of them, and keepe one or more in his owne hands, and inhabite in the same, then hee shall pay his Tythes after the rate abovesaid, according to the quantitie of the yearely rent of such house or houses retained in his hands. And his assigne or assignes of the residue shall pay

Taking severall things by lease, & letting part thereof.

pay his or their Tythes after the rate abovesaid, according to the quantitie of their yerely rents.

6 If any Farmor, or his assignes, of any mansion house or houses, warehouses, shops, sellers, or stables, shall let ouer all the same contained in his Lease, to one or diuers persons: Then the Inhabitants, Lessees, or Occupiers of them, and of euerie of them, shall pay their Tythes after the rate of such rents, as the Inhabitants, Lessees, or Occupiers, and their assignes shall be charged withall, without fraud or conin.

The Tenant of several houses assigneth all the same.

7 If any dwelling house (within eight yeres befoze this Decree) was, or hereafter shall bee conuerted into a warehouse, storehouse, or such like, or if a warehouse, or storehouse, or such like within the foresaid time, was, or shall bee conuerted into a dwelling house: then the occupiers thereof shall pay Tythes for the same, after the rate aboue declared of mansion house rent.

A dwelling house made a warehouse, or storehouse, &c. conuerſio.

8 Where any person shall demise any Diehouse, or Brewhouse, with implements convenient for dying or brewing, reseruing a rent vpon the same, as well in respect of such implements, as of such Diehouse or Brewhouse: Then the tenant shall pay his Tythes after such rate as is abovesaid, the third peny abated. And euerie principall house with key or wharfe, hauing any Crane or Gibbet belonging to the same, shall pay after like rate of their rents as is abovesaid, the third peny abated. And other wharfes belonging to houses hauing no Crane or Gibbet, shall pay for their Tythes, as shall bee paid for mansion houses, in soime abovesaid.

Diehouse or Brewhouse with stocke.

House with key or wharfe.

9 Where any mansion house with a shop or stable, warehouse, wharfe with Crane, Linber yard, Weinter yard, or Garden belonging to the same, or as parcel of the same, is, or shall be occupied together, if the same be after seuered: Then the farmor, or farmors, occupier or occupiers thereof, shall pay such Tythes, as is abovesaid, for such shops, stable, warehouses, wharfes with crane, Linber yard, Weinter yard, or Garden so seuered, after the rate of their severall rents thereupon reserued.

A house with other things occupied together, and after seuered.

10 The said Citizens and Inhabitants shall pay their Tythes quarterly, videlicet, at the feast of Easter, the Natiuitie of Saint John Baptist, the feast of Saint Michell the Archangell, and the Natiuitie of our Lord, by euery paytions.

Citizens shall pay their tythes quarterly.

11 Euerie housholder paying x. s. rent or aboue, shall for him or herselfe, bee discharged of their iij. offering daies, but his wife, children, seruant, or others of their family taking their rights of the Church at Easter, shall pay y. pence for their iij. Offering daies yearely.

4. Offering daies.

12 If any house which hath bene or shall be letten for x. s. rent by the years or moze, be, or within viij. yeres befoze this Decree hath bene, or shall be deuided & lesed into small parcels, yielding lesse yerely rent then x. s. by yere: Then the owner (if he dwell in any part of such house) or else the principall lessee, if the owner do not dwell in some part of the same, shall pay for his Tythes after such rate of rent, as the same house was accustomed to be letten for, befoze such diuision. And the vnder farmor and farmors to bee discharged of all Tythes for such small parcels rented at lesse yearely rent then x. s. paying y. d. a peece yearely for their iij. offering daies.

A house of x. s. rent deuided into small parcels.

13 For such Gardens as appertaine not to any Mansion house, and which any person shall hold in his hands for pleasure, or to his owne vse, the person so holding the same shall pay no Tythes for the same. But if any person which shall hold any such Garden, containing halfe an acre or moze, doth, or shall make any yearely profit thereof by way of sale, then hee shall pay such Tythes for the same after such part of his rent, as is herein first aboue specified: But if any such Gardens

Gardens.

Tithes, &c.

Gardens now (viz. at the time of the decre made) being of the quantitie of halfe an acre, or moze, be hereafter by fraud deuoided into any lesse quantitie, then to pay Tithes according to the rate abovesaid.

The houses of
noble men and
Companies.

14 This Decree shall not extend to the houses of great men, or Noble men, or Noble women, kept in their owne hands; and not letten for any rent, which in time past hath paid no Tithes, so long as they shall so continue, vnletten: For to any Halls of Castles, or Companies, so long as they be kept vnletten, so that the same Halls in time past, haue not vsed to pay any Tithes.

Sheds, sta-
bles, cellars,
timber yards,
teinter yards.

15 This Decree shall not charge any sheds, stables, sellers, timber yards, ne teinter yards, which were neuer parcell of any dwelling house, ne belonging to any dwelling house, ne haue accustomed to pay any Tithes, but the Citizens and inhabitants thereof shall be quite of payment of Tithes, as hath bin vsed.

Lesse by cu-
stome then xvj
s. ob. in the
x s. rent.

16 Where lesse summe then after xvj. s. ob. in the x. s. rent, or then y. s. ix. d. in the xx. s. rent hath been accustomed to be paid for Tithes, then in such places the said Citizens and Inhabitants shall pay but only after such rates as hath bin accu-
stomed.

I meane to
end contentis
that may arise
vpon deman-
ding of Ty-
thes.

17 If any variance shall arise in the said Citie for non payment of any Tithes, or if any variance or doubt arise vpon the true knowledge or diuision of any rent, or Tithes within the liberties of the said Citie, or of any extent or assessment thereof, or if any doubt arise vpon any other thing contained in this Decree: Then vpon complaint made by the partie grieved, to the Mayor of London for the time being, the said Mayor by the aduise of Counsell, shall call the said parties before him, and make a finall end in the same, with costes to be awarded by the discretion of the said Mayor, and his assistants, according to the true intent of this Decree. And if the said Mayor make not an end thereof within two Moneths after com-
plaint to him made, or if any of the said parties find themselves grieved: Then the Lord Chauncello: vpon complaint to him made within thre Moneths then next following, shall make an end in the same, with such costes to be awarded, as shall be thought conuenient, according to the intent of this Decree.

Tenements
let for a finall
rent, by reason
of decay.

18 If any person take any tenement for a lesse rent then it was accustomed to be letten for, by reason of any great decay, burning, or such like occasions or mis-
fortunes, then he shall pay Tithes onely after the rate of the rent referred in his lease, and no otherwise, as long as the same lease shall endure.

Refusall to
pay Tithes
according to
the decree.

19 Every person denying to pay any of his Tithes, Oblations, or other duties, contrarie to the said decree, shall by the commaundment of the Mayor of London, and in his default or negligence by the Lord Chauncello:, be committed to prison, there to remaine till he hath agreed with the Curate for his said Tithes, Oblati-
ons, and other duties, as is aforesaid. 37. H. 8. 12.

Tithes shall be
paid according
to the custome
of the parish
where ec.

20 All persons of the Kings dominions, shall fully and truly set out, or pay all and singular Tithes and offerings, according to the lawfull customes of the parishes and places where such Tithes or duties shall grow, arise, or be due. And in case any person of his peruerse will, shall withhold any of the said Tithes or offerings, or part thereof, then the partie being Ecclesiasticall or lay person, ha-
ving cause to demand or haue the same, being thereby wronged or grieved, shall and may conuent the offendo: before the Ordinarie, his Commisarie, or other competent Minister, or lawfull Judge of the place where such wrong shall be done, according to the Ecclesiasticall Lawes: And in euerie such case the same Ordinarie &c. hauing the parties, or their lawfull procurato:rs before him, shall and may proceed to the examination, hearing, and determining of euerie such cause or-
dinarily or summarily, according to the course and process of the Ecclesiasticall Lawes, and thereupon may giue sentence accordingly. 32. Henrici 8. 7. 27. Hen. 8. 20.

The offendo:
conuented be-
fore the Ordina-
rie.

And in case that any of the parties for any cause concerning that suit, doe appeal from the sentence of the said Ordinarie or Judge: When the same Judge so forth shall adiudge to the other partie the reasonable costes of his suit therein before expended, and shall compell the appellant to pay the same costes by compellible proces of the said Ecclesiasticall Lawes, taking suretie of the other party to restore the same costes to the appellant, if after the principall cause of that suite of appeal shall be adiudged against the same partie, to whom the said costes shall be paid. And so everie competent Judge Ecclesiasticall shall adiudge costes to the other partie, upon everie Appeal made in any suit or cause of subtraction or detention of any Tythes, or Offerings, or in any other suit made, for, or concerning the dutie of such Tythes, or Offerings. 32. H. 8. 7.

22 If any person after such sentence definitiue given against him, obstinately refuse to pay his Tythes, or duties, or such summes of money so adiudged, wherein he is condemned for the same: When two Iustices of the peace of the same Shire (whereof one to be of the Quorum) haue authoritie upon Information, Certificate, or Complaint to them made in writing by the Ecclesiasticall Judge that gave the same sentence, to cause the same person so refusing, to be attached and committed to the next Gaole, and there to remaine without baile or mainprise, untill he shall haue found sufficient sureties, to be bound by Recognisance, or otherwise, before the same Iustices, to the vse of the King, to performe the said sentence. 32. H. 8. 7. And in like sort may any one of the W. Councill, or two Iustices of peace, upon an information or request made to them by the Ordinarie, commit any offender to ward, for any contempt, contumacy, disobedience, or any other misdemeanour of his, in any suit for subtraction of Tythes, Offerings, or other duties of the Church, untill he hath found sureties &c. vi supra. 27. Henrici 8. 20. S. Iustice of peace 104.

23 In all cases where any person or persons which shall haue estate of Inheritance, freehold, terme, right, or interest, of, in, or to any Parsonage, Vicarage, portion, pension, tythes, oblations, or other Ecclesiasticall profit, made tempo; all, or admitted to abide in Tempo; all hands, and lay vles, by the Law or Statutes of this Realme, shall be disseised, deforced, wronged, or otherwise kept or put from their lawfull inheritance, estate, seisin possession, right, or interest, of, in, or to the same, or of, in, or to any parcell thereof, by any other person or persons, pretending to haue interest, or title, in, or to the same: When in all and everie such case and cases, the person or persons so disseised, deforced, &c. their heires, wiues, and such other, to whom such iniurie shall be done, shall and may haue their remedy in the Kings, or other tempo; all Courts, as the case shall require, for the recoverie, getting, or obtaining of such Inheritance, estate, freehold, seisin, possession, terme, right, or interest, by writs originall of Præcipe quod reddat, Assise of Nouel disseisin, Mortdauncester, Quod ei deforceat, writs of Dolour, or other writs originall, as the case shall require, deuised and graunted in the Chauncerie, of everie such Parsonage, Vicarage, portion, pension, or other profit called Ecclesiasticall or Spirituall so to be demanded, according to the nature and cause of the suit thereof, in like manner and forme, as they should, might, or ought to haue had, of, or for lands, tenements, or other hereditaments, in such manner to be demanded: And writs of Covenant, and other writs for fines to be leuied, and all other assurances to be had, made, or conueyed of any such Parsonage, Vicarage, portion, pension, or other profit called Ecclesiasticall or Spirituall, as is aforesaid, shall be deuised and graunted in the said Chauncerie, according as hath bene used for fines to be leuied, and assurances to be had, made, or conueyed of lands, tenements, or other hereditaments. And all Judgements to be giuen upon any of the said writs originall so to be deuised or graunted, of, or for any the premises, and all

The appellant shall pay costs of suit to the other party. Suretie to restore pay costs to the appellant, if the cause be adiudged for him.

The offender bound by two Iustices to obey the Ordinaries sentence.

Recovery and continuance in a tempo; all Court for Tythes.

Tythes, &c.

all fines to be leuied in any of the kings said Courts thereof, shall be of like force and effect in the Law to all intents, as Judgments given, and fines leuied of lands, &c. in the same Courts upon writs originall thereof duly pursued and prosecuted. 32. H. 8. 7.

Tythes and offerings shall be once recorded in the Spirituall Court.

24 But this Act shall not give any remedie, or cause of Action or suit in the Courts Tempozall, against any person which shall refuse to set out his Tythes, or which shall withhold, or refuse to pay his Tythes or Offerings, or any part thereof: But the partie having cause to demand the same, shall take his remedie for them in euerie such case in the Spirituall Courts, according to the ordinances aforesaid. 32. H. 8. 7.

Setting forth or paying of prediall tythes

25 Euerie of the Kings Subjects shall truely and iustly, without fraud or guile, diuide, set out, yeld, and pay all maner of their prediall Tythes in their proper kind as they rise and happen, in such maner & forme, as hath ben of right yelded and paid within fortye yeares, next befoze the making of this Act (being 4. No- uemb. An. Dom. 1548.) or of right, or of custome ought to haue ben paid. And no person shall take, or carrie away any such or like tythes, which haue ben yelded or payed within the said xl. yerres, or of right ought to haue bene paid in the place or places tythable of the same, befoze he hath iustly diuided or set forth for the tithe thereof, the tenth part of the same, or otherwise agreed for the same Tythes with the Parson, Vicar, or other Owner, Proprietorie, or Farmor of the same Tythes, vnder the paine of sequestrure of treble value of the Tythes so taken or carried away. 2. Ed. 6. 13.

The Parson may carrie away his tithe.

26 At all times whensoever the said prediall Tythes shall be due at the tything time of the same, it shall be lawfull to euerie party, to whom any of them ought to be paid, or his deputie, or seruant, to se their said Tythes to be truely set forth, and seuered from the ninth parts, and the same quietly to take and carrie away. 2. Ed. 6. 13.

Carrying the Corns or Hay befoze tithe be set forth, or letting the Parson to take his Tythes.

27 If any person carrie away his Come, or Hay, or his other prediall Tythes, befoze Tythe thereof bee set forth, or willingly withhold his Tythes of the same, or of such other things whereof prediall Tythes ought to be paid: Or doe stop, or let the Parson, Vicar, Proprietarie, Owner, or other their deputies, or farmors, to view, take, and carrie away their Tythes, as is abovesaid, by reason whereof the said Tythe or Tenth is lost, impaired, or hurt: Then upon due proofe thereof made befoze the Spirituall Judge, or any other Judge, to whom here- tofoze he might haue made complaint, the partie so carrying away, withhold- ing, stopping, or letting, shall pay the double value of the Tenth or Tythe so taken, lost, withhelden, or carried away, ouer and besides the costs, charges, and expences of the suit in the same: The same to be recovered befoze the Eccle- siasticall Judge, according to the Kinges Ecclesiasticall Lawes. Anno 2. Ed- ward. 6. 13.

The Tithe of Cattell feeding in any wast ground, where of the parish is not knowen

28 All and euerie person, which hath, or shall haue any beasts, or other cattell tythable, going, depasturing, or feeding in any wast or common ground, whereof the Parish is not certainly knowne, shall pay his Tythes for the increase of the said Cattell so going in the said wast or common, to the Parson, Vicar, Proprie- tary, Portionarie, Owner, or other their farmors, or deputies, of the parish, ham- let, towne, or other place where the owner of the said Cattell inhabiteth or dwel- leth. 2. Ed. 6. 13.

The Tithe of barren heath, or wast ground

29 All such barren heath, or wast ground (other then such as be discharged for the payment of Tythes by Act of Parliament) which befoze this time hath layen barren, and paid no Tythes, by reason of the same barrennes, and now be, or hereafter shall be improued, and conuerted into arable ground, or meadow, shall after the end of vi. yeares next after such improuement fully ended & determined, pay

pay Tythe for the Corne and Hay growing upon the same. But if any such barren, wast, or heath ground hath before this time been charged with the payment of any Tythes, and the same be after improved, & converted into arable ground, or meadow: Then the Owner or Owners thereof shall during by. yeares, next following from and after the same improvement, pay such kind of Tythe as was paid for the same before the said improvement. 2. Ed. 6. 13.

30. Everie person exercising merchandizes, barganing, and selling, clothing, handicraft, or other Art, or facultie, being such kind of persons, and in such places as heretofore with in these xl. yeares have accustomedly used to pay such personall Tythes, or of right ought to pay (other then such as be common day Labourers) shall yearly, at, or before the feast of Easter, pay to his personall Tythes the Tenth part of his cleere gaires (his charges, & expences, according to his estate, condition, or decree, to be therein deducted.) But in all such places where handycraftsmen have used to pay their Tythes within these xl. yeares, the same custome of payment of Tythes shall be observed and continue. 2. Ed. 6. 13.

Merchants and handycraftsmen shall pay the Tenth part of their gaires.

31. If any person refuse to pay his personall Tythes in forme aforesaid: Then it shall be lawfull to the Ordinarie of the same Diocesse where the partie that so ought to pay the said Tythes is dwelling, to call the same partie before him, and by his discretion to examine him by all lawfull and reasonable meanes (other then by the parties alone or by all of the) concerning the true payment of the said personall Tythes. 2. Ed. 6. 13.

The Ordinarie may examine him which refuseth to pay his personall Tythes.

32. All and everie person and persons, which by the Lawes and customes of this Realme ought to make, or pay their Offerings, shall yearly truly content and pay his or their Offerings to the Parson, Vicar, Proprietarie, or other Deputies or Farmours of the Parish or Parishes where he or they shall dwell or abide, at such soure Offering dayes, as at any time heretofore within the space of foure yeares last past (being 4. Nouemb. An Dom. 1548.) hath bin accustomed for the payment of the same. And in default thereof, to pay for the said Offerings at Easter then next following. 2. Ed. 6. 13.

Payment of Offerings.

33. This Act shall not extend to any Parish which stands upon and toward the Sea coastes, the commodities & occupying whereof consisteth chiefly in Fishing, and haue by reason thereof used to satisfie their tithes by fish. But all & everie such Parish and Parishes shall pay their Tythes according to the laudable customes, as they haue heretofore of ancient time within this xl. yeres used & accustomed, & shall pay their Offerings as aforesaid. 2. Ed. 6. 13.

Tythe of fish.

34. If any person do subtract or withhold any Tythes, Obventions, profits, or other duties before mentioned, or any part thereof, contrarie to the true meaning of this Act, or any other Act heretofore made: Then the partie so subtracting, or withholding the same, may, or shall be conuicted and sued in the Kings Ecclesiasticall Court, by the partie from whom the same shall be subtracted or withhelden, to the intent the kings Judge Ecclesiasticall, shall and may then and there heare and determine the same, according to the kings Ecclesiasticall Lawes. And it shall not be lawfull unto the Parson, Vicar, Proprietarie, Owner, or other their Farmours, or Deputies, contrarie to this Act, to conuict or sue such withholders of Tythes, Obventions, or other duties aforesaid, before any other Judge then Ecclesiasticall. 2. Ed. 6. 13.

Sutes for withholding of Tythes shalbe in the Ecclesiasticall Court.

35. If any Archbishop, Bishop, Channicellor, or other Judge Ecclesiasticall, give any sentence in any of the foresaid causes of Tythes, obventions, profits, emoluments, & other duties aforesaid (and no Appeal, ne prohibition hanging) if the party condemned do not obey the said sentence: Then it shall be lawfull to euerie such Judge Ecclesiasticall &c. to excommunicate the said partie, so as aforesaid condemned, and disobeying, in the which sentence of Excommunication, if the said

The offender disobeying the Judges sentence, shall be excommunicate.

Tythes, &c.

Excommuni-
cato capiendo
Of what
things the
Judge Eccle-
siasticall shall
not hold plea.

London.
Canturburie.

Arund. Will.

Silua cardua.

Certaine Ab-
bey lands dis-
charged of
Tythes.

Tythes of
marriage goods
in dower.

Discharge of
Tythes by
prescription or
composition.

Suit for
Tythes by the
name of goods
carried away.

partie excommunicate wilfully stand & endure still excommunicate by the space of xl. dayes next after, upon denunciation & publication thereof in the Parish Church of the place or Parish where the party so excommunicate is dwelling, or most abiding, the said Judge Ecclesiasticall may then at his pleasure signifye to the King in his Court of Chaucerie, the state and condition of the said party so excommunicate, and thereupon require p[ro]ces De Excommunicato capiendo, to be awarded against every such person that hath been so excommunicate. 2. Ed. 6. 13.

36 This Act shall not give any Minister, or Judge Ecclesiasticall, any iurisdiction to hold plea of any matter, cause, or thing being contrarie or repugnant to the effect or meaning of the Statute of Westminster 2 cap. 5. the Statutes of Articuli Cleri, Circumspecte agatis, Silua cardua, the Treatise de Regia prohibitione, no against the Statute of 1. E. 3. 10. or any of them, ne yet to hold plea in any matter whereof the Kings Court of right ought to have iurisdiction. 2. Ed. 6. 13. S. 38. 39. S. Prohibition 1. 2. 3. 4. 5. 6.

37 The foresaid Statute of 27. H. 8. and 32. H. 8. shall not extend to any Inhabitant of the Citie of London, & Suburbs of the same, for the payment of their Tythes and Offerings. Neither the Statute of 2. E. 6. shall extend to the Inhabitants of the Citie of London, and Canturburie, and the Suburbs of the same. Nor to any other Towne or place that hath used to pay their Tythes by their houses, otherwise then they ought, or should have done before. 27. H. 8. 20. 32. H. 8. 7. 2. Ed. 6. 13.

38 If any person do erect a new Mill in his ground, he shall pay Tythe for the same, Articuli cleri. 9. E. 2. 5. S. Prohibition 6.

39 If a man doe sell great Wood of the age of xx. yeares, or above, no Tythe shall be paid therefore. 45. Ed. 3. 5. S. Prohibition 5.

40 Every person and persons, their heires and assignes, having any Monasteries, Priories, Hunries, Colledge s, &c. or other Ecclesiasticall houses or places &c. or any Manors, Mesuages, Parsonages appropriat &c. or other hereditaments which belonged unto the said Monasteries, Priories, &c. which were discharged, of, and for the payment of Tythes, being in the hands of the Abbots, Priors &c. or other Ecclesiasticall Governours, shall have and enjoy every of the said Monasteries, Priories, lands, tenements, & other hereditaments, according to their estates and titles, discharged of payment of Tythes, in as ample maner as any of the said Abbots, Priors, &c. or other Ecclesiasticall Governours held or enjoyed the same at the dayes of their dissolution, or coming to the hands of King H. 8. of the same. 31. H. 8. 13.

41 No Tythes of Parryage goods shall be required of any person within Wales, or the Marches thereof. Neither shall any person be sued, or otherwise compelled to pay any maner of Tythes for any lands, tenements, or hereditaments, which by the Lawes and Statutes of this Realme, or by any privilege, or prescription, are not chargeable with the payment of any such Tythes, or that be discharged by any composition real. 2. Ed. 6. 13.

42 At what time any person of Holie Church be drawn in suit in a Secular Court for his owne Tythes taken, by the name of goods carried away, and he which is drawn in suit maketh exception, or alleageth that the substance and suit of the cause is onely upon tythes due of right, and of possession to his Church, or to some other his benefice: In such case the generall averment shall not be received, without shewing specially how the same was his lay chattell. 2. Rich. 2. 14.

1 Where money for tithes is demanded in a spirituall Court, the Kings prohibition doth lie. S. Prohibition 1.

2 Where upon suit of Tythes in an Ecclesiasticall Court, a Prohibition is grantable,

table, and where a Consultation. S. Prohibition 10. S. 5. H. 4. 11.

Toll.

If any do take any outrageous Toll, contrarie to the custome of the Realme in a Market Towne, which is the Kings Towne, and let to fee farms, the King shall seise the Franchise of the Market into his owne hand. And if it be an other Towne, and that be done by the Lord of the Towne, the King shall do in like sort. And if it be done by a Bailife, or any mean Officer without the commandement of his Lord, he shall restore to the plaintife so his outrageous taking, so much as he hath received of him, if he hath carried away the Toll, and shall be imprisoned for tie daies. West. 1. 1. E. 1. 30.

Excessive
Toll taken
in Cities or
Townes.

2 Toll at Mill shall be taken according to the custome of the Realme, and the strength of the course of the water, as of the xx. coine, or the xxiij. coine. And the measure whereby Toll shall be taken, shall agree with the Kings measure, and it shall be taken by the Strickel, and not by heap. And if the Farmers doe find to the Millers things necessarie for them, they shall take but their due Toll, and if they do otherwise, they shall be punished. 1. E. 1. Stat. de Vitalarijs.

Toll at Mill.

1 When, where, and of whom Toll for Horses shal be taken in a Faire or Market. S. Faies &c. 1.

2 In what cases it is not lawfull to take Toll of Fish brought into this Realme. S. Ships 2.

3 Aliens made Denizens, shal pay such Tolls, as they did before. S. Aliens 3.

Tongues, Eies.

If such case the offenders that shall cut the Tongues, or put out the Eyes of any of the Kings liege people, and it be duly proved and found, that such deed is done of malice ppecced, they shall incur the paine of Felonie. 5. H. 4. 5.

Townes.

If any person or persons, or bodies politike, being owners or possessours of any desolate, or void grounds, that at any time within xlv. yeares next before the making of this Act (being the 16. of Januarij, An. Dom. 1541.) have beens builded for houses, or habitation, or for any house or houses of habitation, now, or hereafter being in decay, and not fully fallen downe, within the Liberties and precincts of any of the Boroughes, Townes, and places within the walls & liberties of the Citie of Canturburie, the Citie of Rochester, the boroughes & townes of Stamford, and great Grimsby in the Countie of Lincoln, the towne of Cambridge in the Countie of Cambridge, the borough or towne of Darby in the Countie of Darby, the borough or towne of Gilsford in the Countie of Surrey, the Towne of Dunwich in the Countie of Suffolke, the boroughes or townes of Cinque Ports, with the members, the Towne of Le wes in the Countie of Sussex, and the towne of Buckingham in the Countie of Buckingham, doe not sufficiently reedifie, build, and repaire, or cause to be reedified, builded, and repaired, the said desolate and void grounds, and decayed houses, convenient for habitation and dwelling, within two yeares next after proclamation made, in, or upon the same void ground, or grounds, decayed house or houses, by the Mayors, Aldermen, and Burgeses, or other head Officers, within the precinct of their owne authorites: Then it shall be lawfull for the chiefe Lord or Lords immediate, of whom such desolate and void grounds, decayed and ruinous houses be holden,

A provision
for the repaire
of houses in
certaine great
Townes.

The chiefe
Lord or Lords
immediate.

A a a y

holden,

holden, after the said two yeares be expired, to enter into the same, and to haue the same grounds or houses with the curtelage, backside, and garden adioyning to the same (if they be of the inheritance of the owner or owners of the said decayed house or ground, and exceed not one acre of ground) to them, and to their heires or successours, or to their owne proper vse for ever, so that the said Lord or Lords immediate, entering by the authoritie of this Act, doe sufficiently reedifie, build, or repaire the same void ground, or decayed houses, within two yeares and a halfe next immediately following the determination of the foresaid first two yeares. 33. H.8.36.

The entrie of
them which
have rent
charge.

2 And in case such Lord or Lords as may enter by this Act, doe not enter, and well and sufficiently reedifie, build, or repaire the same void ground or decayed houses within the said two yeares and a halfe to them limited by this Act, or if such Lord or Lords immediate as may enter, doe sufficiently reedifie, build, and repaire the same void grounds or decayed houses within the said two yeares and a halfe, to them limited, and after they, their heires or successours suffer the same houses or void grounds to fall in ruine and decay, and doe not build or reedifie the same sufficiently within two yeares and a halfe, after such ruine or decay: When it shall be lawfull to all person or persons, or bodies politike, as shall then have any rent charge jointly or severally going out of the said void ground or grounds, or decayed house or houses in any of the said Cities, Boroughes, Townes, or places, immediately after the said two yeares and a halfe expired, to enter into the same, and to haue to such of them, their heires and successours to their owne proper vse, as shall so build the said void grounds or decayed houses by authoritie of this Act, the same void grounds or houses with the curtelage, backside, and garden adioyning to the same, if they be of the inheritance of the owner or owners of the said decayed houses or grounds, and exceed not in quantitie one acre of ground, discharged of all rents going out of the same grounds or houses, as well against the said Lord or Lords immediate, as all other person or persons, or bodies politike, having any rent or rents charges, or rent secke out of the same, (other then the six farme of the said Citie, Borough, Towne, or place, or some part thereof) so that the said person or persons, or bodies politike, having the said rent charge, entering by the authoritie of this Act, doe sufficiently reedifie, build, and repaire the same desolate and void ground or grounds, or decayed house or houses, within one yeare and thre quarters next and immediately following the determination of the said two yeares and a halfe, to the said Lord or Lords immediately appointed by this Act. 33. H.8.36.

The entrie of
the head offi-
cers of corpo-
rat townes.

3 And in case such person or persons, or bodies politike, having any of the said rents charges, as may enter by this Act, doe not enter, and well and sufficiently reedifie, build, or repaire the same void ground, or decayed houses, within one yeare and thre quarters to them appointed by vertue of this Act, or if they, or any of them, having such rent charge, and that may enter by this Act, do sufficiently build and repaire the same void ground or grounds, or decayed house or houses, within the said one yeare and thre quarters to them limited, and after, they, their heires or successours suffer the same void ground or grounds, house or houses, to fall in ruine or decay, and doe not build or reedifie the same sufficiently within one yeare and thre quarters after such ruine or decay: When it shall be lawfull to the Mayor, Aldermen, and Burgesses, and other head Officers in the said Cities, Boroughes, Townes, and places, by what name or names soever they be incorporated, and their successours, and everie of them, within the limits of their authorities, immediately after the said yeare and thre quarters expired, into everie such desolate void grounds, decayed or ruinous houses, to enter, and haue, hold, and enjoy to them and their successours for ever, to their owne uses, the same

same grounds or houses, and enerie of them with the curtelages, gardens, and backesides to the same, if they bee of the inheritance of the owner or owners of the said decayed house or ground, & extend not in quantitie one acre of ground, clerely discharged of all rents going out of the same grounds or houses, as well against the said Lord or Lords immediat, as all other person or persons, or bodies politike, having such rent charge, or rent seck, as before is said (other then the six pence of the said Citie, Borough, Towne, or place, or parcell thereof) So that the same Spai- ors, Aldermen, and Burgeses, or other head Officers, as is aforesaid, or their successors for the time being, do redifie, build, or repaire, or cause to be redified, build, or repaire, the same ground or grounds, house or houses, within three yeares next & immediatly following the determination of the said yeare and three quarters, limited or appointed to such person or persons, or bodies politike, that have or shall have any rent as is aforesaid. An 33. H.8. 36.

4 And in case the said Spai- ors, Aldermen, and Burgeses, or other head Officers, as is aforesaid, or their successors, do not enter, and redifie, build, & repaire the said void ground or grounds, decayed house or houses, in so me aforesaid, within the said terme of three yeares after their said entrie, or if they sufficiently redifie, build, and repaire the same void ground or grounds, or decayed house or houses, within the said three yeares to them limited by this Act, and after they, or their successors suffer the same house or houses, void ground or grounds, to fall in ruine and decay, and doe not build and redifie the same sufficiently within three yeares after such ruine or decay: When it shalbe lawfull to the first owner or owners, possessor or possessors of such void ground or grounds, decayed house or houses, their heires or successors, immediatly after the said three yeares (to the said Spai- ors, Aldermen, and Burgeses, or other head Officers, as is before limited) expressed, into the same house, ground or grounds, curtelages, gardens, and backesides to enter, and the same to retaine to them, their heires and successors, as in their first estate. 33. H.8. 36.

The first owner's entrie.

5 But this Act shall not bee prejudiciall to any person or persons being at the time of the said Proclamation made, under the age of xxi. yeares, or being feme covert, or in prison, or beyond the Sea in the Kings warres, or in his other lawful affaires, or to any person or persons not being then of whole and perfect memory, during the time that such person or persons shall be within age, married, in prison, or of no perfect memory, or beyond the Sea, so that the same person or persons, their heires or successors, after that he or they come unto their full age of xxi. yeares, or be unmarried, out of prison, or come againe within this Realme, or be of whole and perfect memory, within three yeares then next ensuing doe redifie the same desolate or void grounds, or repaire the said decayed houses. An 33. H.8. 36.

Infants, feme covert, out of the Realme, in prison, & un- like persons right returned

6 An 34. H.8. 4. a like Act was made in everie respect, with like provision of saving for the repairing of the Towne of Wyke in the Countie of Salop, the Citie of Chester in the Countie of Chester, the Towne of Ludlow in the countie of Salop, Banerford West in the Countie of Banerford in South-wales, the Towne of Pembroke, Tenbis in the Countie of Pembroke, the Towne of Barnewdein in the Countie of Carmarthen, the Towne of Mountgomery in the Countie of Mountgomery, Cardiffe, Walese, Colwydige, New Radnor and Prestens in the Countie of Radnor, the towne of Brecknocke in the Countie of Brecknocke, and the towne of Portsmouth in the Countie of Portsmouth, the towne of Maldon in the Countie of Essex, the towne Abargavenny, Wike, Cartion, and Potaport in the Countie of Northampton, the towne of Lancaster, Preston, Lerepole, and Wigan in the Countie Palatine of Lancaster.

7 An 32. H.8. 28. An Act was made for the repaire of houses of habitation
Aaaa iiij within

Townes.

1000

first estate. In which Statutes there be severall provisions etc. that the said Acts shall not be prejudiciall to any persons being at the time of the said Proclamation made, under the age of one and twentie yeres, to any woman being married, to any person being in prison, or beyond the Sea in the Kings warrres, or in his other lawfull affaires, during such time etc. So that the same person doe within thre yeres next ensuing (that same imperfection removed) reedifie etc. the same grounds, houses, etc. as is abovesaid etc.

8 An. 7. H. 8. 1. It was enacted, that if any owner or owners of any void and decayed houses, or grounds, within the precinct of the Townes of Nottingham, Shrewsbury, Ludlow, Gloucester, Bridgenorth, Quinborough, and Northampton, within thre yeres next after Proclamation thereof to be made by the Sheriffs, Sherifes, & Bailiffs of any of the said Townes, in or upon any such vacant or decayed houses or grounds, do not enter, and sufficiently reedifie the same houses, grounds, etc. Then it shall be lawfull to the Lord of whom such grounds etc. shall be holden, to enter immediately after the said thre yeres expired, and to have the same to him, his heires & successors for ever, so that the said Lord do sufficiently reedifie the same within thre yeres next & immediately following the determination of the former thre yeres. And if such Lord doe not enter & sufficiently reedifie the same within the said thre yeres: Then it shall be lawfull to the said Sheriffs, Sherifes, Bailiffs, etc. and their successors after the said thre yeres expired, to enter into euerie such grounds, or houses, & the same to retaine to them and their successors for ever, discharged of all rents going out of the same, so that the same Sheriffs etc. or their successors do sufficiently reedifie the same grounds etc. within thre yeres next following the determination of the former thre yeres. And in case the said Sheriffs etc. and their successors, doe not enter, and sufficiently reedifie the same decayed houses or grounds in forme abovesaid, within the said terme of thre yeres: Then it shall be lawfull to the first owners of such decayed ground, their heires or successors immediately after the same thre yeres expired, into the same etc. to reenter, & then to retaine to them, their heires and successors, as in their first estate. In which Act there is a provision for euerie person being, at the time of the Proclamation made, under age, a woman couert, in prison, beyond the Sea etc. *vt supra*.

1 He that dwelleth in the Country shal not sell wares in Corporat or Market townes by retails. S. Merchandize 1 r. 12.

2 Cloth to be put to sale, shall not be wrought but in market townes. S. Draperie 81.

3 See for Norwich and Linne 26. H. 8. 8. 9.

Trauerse.

Where lands or tenements be seised into the Kings hands by office of the Escheator, containing that the Kings Tenant made alienation thereof without the Kings licence, or that the Kings tenant by knights service dyed seised of lands or tenements in his demesne as of fee, and his heire within age, and after the cause certified into the Chancery, he whose Lands bee seised come into the Chancery, and will traaverse the office taken by the kings commandement, that the same lands were not to haue bene seised, he shall haue thereunto receiued: And the pces shall be sent in to the Kings Bench to trie, and further to doe right.

An 34. Ed. 3. 14.

2 Where one person or more is, or shall be found heire to the kings tenant, by office or inquisition, where any other person is or shall be heire: Or if one person or more is, or shall be found heire by office in one Countie, and an other is, or shall

Trauerse by an office found on alienation or death found

Trauerse by an office found after the death of the Kings tenant.

Trauerse.

shall be found heire to the same person in an other Countie: And if any person is, or shall be vntreuly found Lunatique, Idiot, or dead: Every person or persons grieved by any such office or inquisition, shall and may haue his or their Trauerse to the same, immediatly or after, at his or their pleasure, & proceed to triall therein, and haue like remedy and advantage, as in other cases of Trauerse vpon vntreue offices found: Any law, custome, &c. notwithstanding. 2. Ed. 6. 8.

Trauerse to
an office found
vpon attain-
der of felony
&c.

3 Where it is, or shall bee vntreuly found by Office or Inquisition, that any person attainted, or that shall be attainted, of Treason, Felonie, or Præmunire, is, or shall be seised of any lands, tenements, or hereditaments at the time of such offence committed, or at any time after, whereunto any other person or persons shall haue any iust title or interest of any estate of Freehold: When euery person grieved thereby, shall haue his Trauers, or Monstrance de droit to the same, without being ouien to any Petition of right. And like remedy & restitution vpon his title found or iudged for him therein, as hath bin vsed in other cases of Trauerse, although the King shall be in such case intituled to any such lands by double matter of record: Any law, custome, &c. notwithstanding. 2. Ed. 6. 8.

Trauerse
where the R.
is intituled to
a tenure where
none is.

4 Where it shall bee found by office or inquisition, that any lands, &c. shall bee descended, remained, or come to any heire within age, and in the Kings ward, or that ought to bee in the Kings ward, and that such lands are holden of the King immediately, where indoe the same are holden of some other common person, and not of the King immediately: In such case such heire or heires shall and may haue his or their Trauerse to the same within age, and like remedie and restitution vpon his or their title found or iudged for him or them therein, as hath bene vsed in other cases of Trauerse: any law, custome, &c. notwithstanding. 2. Ed. 6. 8.

Vpon a tra-
uerse a Scire
facias shall be
awarded a-
gainst the R.
patenters.

5 In all such cases as any person shall be enabled by this Act to haue any Trauerse, and shall pursue his trauerse: When he that shall pursue such trauerse, shall sue one writ, or severall writs of Scire facias as the case shall require, against all and singular such person and persons as shall haue interest by the King, or by his Patenters or Patentees, in like manner and forme as is requisite vpon Trauerfes or Petitions heretofore pursued. And in euery such Scire facias, the Patenters or other defendants shall haue like plés & advantage, as they had in any Scire facias before this time awarded against any Patentee in any case of Petition. And also vpon euery Trauerse that shall be pursued by vertue of this Act, in such case as the partie that shall pursue such trauerse, should by order of the common Lawes haue bene put to sue by Petition to the King, there shall bee two writs of Search graunted in manner and forme, as like writs haue bene graunted vpon Petitions made to the King. 2. Ed. 6. 8. Where foure writs of Search shalbe graunted. S. Aide of the king 3.

writs of
search vpon
a trauerse.

The Kings
former right
referred.

6 If after any Iudgement shall be given vpon any Trauerse that shall be tendered or sued by vertue of this Act, it shall appeare by any matter of record, that the King hath any former title, right, or interest to the lands &c. mentioned in the same trauerse, When the same title, right, and interest shall be saued to him, the said trauerse, and Iudgement thereupon given notwithstanding. 2. Ed. 6. 8. S. Offices, Liueries.

1 Where he that is indicted or appealed of Treason shalbe receiued to trauers the same. S. Treason 11.

2 Trauerse to an office where by lands shalbe found to be fraudulently conueied by any of the Qu. accomptants. S. Accomptants &c. 38.

3 Where lands shall bee letten to farme to him that tendreth a trauerse. S. Patents 26.

4 For the triall of a trauerse certified of a Riot. S. Riots 3.

Tica-

Treason.

It is high Treason to compasse or imagine the death of the King, the Quene, his wife, or of their eldest Sonne and heire: Or to deflower the Kings wife, the Kings eldest Daughter being unmarried, or the Kings eldest sonne and heires Wife, To leue warre against the King, Quene, &c. in this Realme: Or to be adherent to his Enemies, ayding them in his Realme, or elsewhere: Or to counterfeit the Kings great Seale, his priue Seale, or his money: Or to bring false money into this Realme, counterfeit like unto the money of England, knowing the money to be false, and to make merchandize, or payment therewith: Or to sea the Kings Chancelloz, Treasurour, Iustice of the one Bench or other, Iustice in eyre, Iustice of assise, or any Iustice assigned to heare and determine, being in his place doing his office: Which foresaid Treasons doe extend to the King, and his royall Maestie. And the King shall haue the forfeiture of the estate of them, as well of lands and tenements holden of others, as of himselfe.

25. Ed. 3. 2.

2 If any person doe falsely forge or counterfeit the Quenes signe manuell, priue Signet, or priue Seale: Or doe falsely forge or counterfeit any Coine of Gold or Silver which is not the proper coine of this Realme, and is or shall be currant within this Realme, by the consent of the Quene, her heires or successors, it is high Treason, and the offenders therein, their counsellors, aydoers, procurors, and abettors, being conuict according to the Law, shall be adiudged Traitors. 1. M. 6.

3 Whosoever doth bring into this Realme, or any the Dominions thereof, from any parts beyond the Sea, any false and counterfeite Coine or Money like to the coine of other Realmes, being by the Quenes permission currant in payment within this Realme, knowing the same to be false and counterfeit, to the intent to utter or make payment therewith within this Realme &c. by merchandizing, or otherwise, he, his counsellors, procurors, aydoers, and abettors, doe commit high Treason. 1. & 2. P. & M. 11.

4 If any person or persons shall falsely forge or counterfeit any kind of gold or silver, as is not the proper Coine of this Realme, nor permitted to be currant in this Realme, it is Disposition of high Treason, and the offenders therein, their procurors, aydoers, and abettors, being conuict &c. shall be imprisoned, and forfeit such lands, goods, and cattels, as in cases of Disposition of Treason, for concealment of high Treason. 1. 4. Eliz. 3.

5 The clipping, washing, rounding, or filing for gaines sake of any Money or Coine, which now is, or hereafter shall be the coine of this Realme, or the Dominions thereof, or of any other Realme &c. allowed and suffered to be currant within this Realme, by the Quene, her heires or successors, is treason: And the offenders, their counsellors, consentors, & aydoers, shall be adiudged as offenders in Treason. But the attainder in this Treason maketh no corruption of blood in the heire, or forfeiture of dowter in his wife. 5. Eliz. 1.

6 If any person for wicked lucre sake, doe by any Act, waies, or meanes whatsoeuer, impair, diminish, falsifie, scale, or lighten the proper monies or coines of this Realme, or any the Dominions thereof, or the Monies &c. of any other Realmes allowed at the time of the offence committed to be currant within England, or any dominions thereof, by the Proclamation of the Quene, her heires or successors, he, his counsellors, aydoers, and consentors shall be adiudged offenders in Treason, & being thereof conuicted or attainted, according to the Lawes, shall suffer death, and lose and forfeit all his goods & cattels to the Quene, and his lands, &c.

Compasing the Kings death.

Raising war, and ayding of the Kings enemies.

Counterfeiting the great or priue seale.

Bringing in of counterfeit money.

Forging the signe manuell priue signet, or seale.

Forging the money of other realmes currant in this.

Bringing in of counterfeit money.

Forging of money, which neither is the money, nor currant within this Realme.

Clipping, washing, rounding, or filing of money.

Diminishing, scaling, or lightening of money.

during

Treason.

during his life onely. But the attainder for his offence, maketh no corruption of blood, nor the wife to lose her dower. 18. Eliz. 1.

Petit Treason.

7 It is petit Treason when a seruant killeth his Master, a woman killeth her husband, or when a secular or Religious man killeth his prelate, to whom he oweth obedience. And this manner of treason doth giue the forf. of the escheates to euery Lord of his owne proper sit. 25. Ed. 3. 2.

Misprision of Treason.

8 Concealment or keeping secret of any high Treason, shall be deemed & taken onely misprision of Treason, and the offenders therein shall forfeit and suffer as in case of misprision of Treason hath heretofore been used. 5. Ed. 6. 11. 1. & 2. P. & M. 18. 1. Eliz. 6.

Trial of treason & murders by speciall Commission.

9 If any person being examined before the Kings Council, or thre of them, upon any Treasons, misprisions of Treasons, or murders, doe confesse any such offences, or that the said Council, or thre of them, upon such examination, shall thinke any person so examined to be vehemently suspected of any such offences: Then the Kings commission of Oyer and Terminer vnder the great seale shall be made to such persons, and into such Shires or places, as shall be appointed by his Highnesse for the speedy trial, conviction, or deliuerance of such offenders, which Commissioners shall haue authoritie to enquire, heare, and determine all such treasons, misprisions of treasons, and murders, within the shire and places limited by their Commission, by such good & lawful persons, as shalbe returned before them by the Shereffe, his minister, or other, hauing power to returne writs and proces for that purpose, in whatsoeuer other shire or place within the Kings dominions, or without, such offences were committed. 33. H. 8. 23. What challenges the offender in this case shall haue. S. Challenge 8. S. Dyer 286. that for Treason this Statute is repealed by 1. & 2. P. M. 10.

Trial of treasons & murders committed out of the Realme.

10 All offences being made or declared to be made &c. treasons, misprisions of treasons, or concealments of Treasons, and done or committed by any person out of this Realme of England, shall be inquired of, heard, and determined before the Iustices of the B. Bench, by good and lawfull men of the same shire where the said Bench shall sit and be kept, or else before such Commissioners, and in such shire of the Realme, as shall be assigned by the B. Commission, and by good and lawfull men of the same shire, in like maner, to all intents, as if such offences had bene committed within the same shire where they shalbe so inquired of, heard and determined. 26. H. 8. 13. 35. H. 8. 2. 5. Ed. 6. 11. S. Dyer 287. 298. that the statute of 35. H. 8. remaineth in force not repealed.

Outlawrie of an offender being out of the Realme.

11 All proces of outlawrie to be made within this Realme, against any offenders in treason, being resiant out of this Realme, or beyond the Sea, at the time of the outlawrie pronounced against them, shall be as good & effectuell in the law to all intents, as if any such offenders had been resiant within this realme at the time of such proces awarded, and outlawrie pronounced. But if the partie so outlawed shall within one yeare next after the said outlawrie pronounced, or iudgement giuen thereupon, yield himselfe vnto the chiefe Iustice of England for the time being, and offer to traueise the said indictment, or appeale, whereupon the said outlawrie shall be pronounced, then he shall be received to the said traueise, and being thereupon found not guiltie by the verdict of 12. men, he shall be clerely discharged of the said outlawrie, and of all penalties and forfeitures, by reason of the same, in as ample maner, as though no such outlawrie had bin made. 26. H. 8. 13. 5. Ed. 6. 11.

Trial of treasons committed where the Kings writ runneth not.

12 All such treasons and misprisions of treasons, which any person shall commit within the principalltie of Wales, and Marches of the same, or elsewhere, within any the Kings dominions, where his originall writs in the Chancerie of England comunonly run not, shall be presented and tried by the othe of 12. men, which

which shall inhabite within any such Shires, and before such Commissioners, as the King from time to time in such cases shall assigne by his Commission or Commissions of Oier and Terminer, in like maner, as if such offences had been committed within the said Shires, into the which the said Commissions shall bee directed. And all presentments, trials, p[ro]ces, iudgements, executions, & forfeitures made, had, or done by vertue of such Commissions, shalbe good and effectual in the Law, to all purposes &c. 32.H.8.4.

13 All trials to be had, awarded, or made for any Treason, shall be had and used onely, according to the due order & course of the Common Lawes of this Realme, and not otherwise. 1. & 2. Ph & M. 10. *Quere if this do take away, or diminish the force of any of the other Branches, viz. 9. 10. 11. 12.* Trial of Treason. Quere.

14 If any person or persons shall be attainted of high Treason by the course of the Common Lawes, or Statutes of this Realme, in euery such case euery such attainer by the Common Law, shall be of as good strength, value, force, and effect, as if it had been done by authoritie of Parliament. And the King, his heires and successors, shall haue as much advantage by such attainder, aswell of v[er]s, rights, enties, conditions, and possession, reuerfions, remainders, and all other things, as if it had been done & declared by authoritie of Parliament, and shall be deemed, and aduinged in actual & reall possession of the lands, tenements, hereditaments, v[er]s, goods, chattells, and all other things of the offendors so attainted, which his Highnesse ought lawfully to haue, & which they so being attainted, ought or might lawfully lose & forfeit, if the attainder had been done by authoritie of Parliament, without any office or Inquisition to be found of the same: any Law, Statute, &c. notwithstanding. Saving to all & euery person and persons, & bodies politike, and their heires, assignes, and successors, and euery of them (other then such person and persons, which shalbe attainted of high Treason, and their heires and assignes, and euery of them, and all euery other person & persons, clayming by them, or any of them, or to their v[er]s, or to the v[er]s of any of them, after the said Treasons committed) all such right, title, v[er]s, possession, entie, reuerfions, remainders, interests, conditions, &c., offices, rents, annuities, commons, leases, and all other commodities, profits, and hereditaments, whatsoever they, or any of them, should, might, or ought to haue had, if this Act had neuer been made. 32.H.8.6.

15 No record of attainder that now is, of any person or persons, of, or for any high Treason, where the partie so attainted, is, or hath bene executed for the same Treason, shall by the heire or heires of any such person, or by any other whatsoever, clayming in, from, by, or under any such heire or heires, be in any wise hereafter reuerfied, vndone, anoided, or impeached by any plea, or for any error whatsoever. But this Act shall not extend to any Record of attainder, of, or for any Treason, vpon which any writ of Error is now depending, or which Record is already reuerfied, repealed, or vndone, by, or for any error, matter, plea, or cause whatsoever, but the same shall be and remaine as vnto, and against that partie, at whose suit the same writ of Error is depending, or at whose pursuit the same Record hath been reuerfied, repealed, or vndone, and his and their heires and assignes only, as if this Act had neuer been had or made: Any thing in this Act &c. 39.El.2.

No Record of attainder of Treason reuerfied, where the party attainted is executed for the same.

where the record is reuerfied, or therup[on] a writ of Error depending

1 Treason for the second refusal of the Othe for the Queenes supream government ouer all estates. S. Crowne &c. 8.

2 Treason in maintaining or extolling the authoritie of the Bishop, or See of Rome. S. Rome 1.

3 Treason in obtayning any Bull or Instrument from Rome, or in giuing or taking Absolution thereby. S. Rome 2. Premunire 5.

4 For the forfeitures in High Treason. S. Forfeiture 2.

5 That

Trespas.

5 That peremptorie challenge is not allowable in cases of high Treason, and Misprision. S. Challenge 10. 11.

6 Misprision of high Treason in concealing of a Bull, or other Instrument from Rome, or absolution offered. S. Rome 4.

7 Treason for persuading, or reconciling, or being reconciled to the Romish Religion. S. Rome 7. 8. Recufants 49.

8 Treason for a Iesuite, or Priest, &c. to come into, or remaine in any of the Qu. Dominions. S. Iesuits 2.

9 Treason by remayning in a Seminarie, and not returning after Proclamation, and taking the Othe. S. Iesuits 4.

10 Assurances made by Traitors, shalbe recorded in the Exchequer. S. 18. Elizab. 4. 29. Elizab. 3.

Trespas.

The punish-
ment for small
offences.

All and every such lewd person and persons, which shall cut, or vnlawfully take away any Cozne, or Graine growing, or rob any Orchard, or gardens, or breake, or cut any hedge, pales, railles, or fence: Or dig, pull up, or take up any fruit tree or trees in any Orchard, Garden, or elsewhere, to the intent to take and carry the same away, or shall cut, or spoile any Woods, or Underwoods, Woles, or Trees standing, not being felonie by the Lawes of this Realme, and their procurer, or procurers, receiver, or receivers, knowing the same, being thereof lawfully convicted, by the confession of the partie, or by the testimonie of one sufficient witnesse, upon Othe before some one Iustice of Peace, Gaio, Bailiffe, or other head Officers (which shall haue power by force of this Statute, to minister the said Othe where the offence shall be committed, or the partie offending apprehended) shall giue the partie and parties such recompence and satisfaction for his and their damages, and within such time, as by any one such Iustice of Peace of the said Countie where such offence shall be done, without the Libertie of any Citie, or Towne corporate, or by such Officer, or Iustice of Peace, within any Citie, or Towne corporate, shall be ordered and appointed. And the same to be onely for the first fault. And if such offendor, or offendors shall be thought in the discretion of the said Iustice, or Iustices, or other head Officers, not able, or sufficient, or doe not make recompence or satisfaction for the said damages, in manner and forme aforesaid: Then the said Iustice or head Officer shall commit all and euery the said offendor, or offendors to some Constable, or Constables, or other inferiour Officers of the Citie, Borough, Towne, or Hamlet where the offence shall be committed, or the partie apprehended, to be whipped, & for euery such offence, for, or of which the offendor, or offendors shall be effinies committed in forme aforesaid limited, the person and persons so offending, to receive the said punishment of whipping. 43. Eliz. 7.

A Constable
refusing to
punish an
offendor.

2 If any Constable, or inferiour Officer, do refuse, or do not at the commandement of any Iust. of Peace, or other head Officer, execute by himselfe, or some other, to bee by him appointed, upon the offendor, the punishment limited by this Statute: In that case it shall & may be lawfull for the said Iust. of P. to commit the Constable, or other inferiour Officer so refusing, or not executing the said punishment by himselfe, or some other, to the Gaole of the Countie, Citie, or Towne corporate, there to remaine without baile, or mainprise, vntill the said offendor, or offendors be by the said Constable or Constables so refusing, or not executing, or by some other by his or their procurement, punished and whipped, as is before limited. 43. Eliz. 7.

3. No Justice of Peace, or other head Officer, shall execute this Statute, for any of the offences aforesaid, done to himselfe, unless he be associated and assisted with one, or more other Justices of Peace, whom the offence doth not concerne. None shall punish an offence done to himselfe.

43. Eliz. 7.

Triall.

Where any person shall be feloniously stricken or poisoned in one Countie, and die of the same stroke or poisoning in any other Countie, then an Indictment thereof found by Jurors of the Countie where the death shall happen, (whether it be found before the Coroner, upon the sight of such dead bodie, or before the Justices of Peace, or other Justices or Commissioners, which shall have authoritie to inquire of such offences) shall be as good in law, as if the stroke or poisoning had been committed in the same County, where the party shall die, or where such Indictment shall be so found. And the Justices of Gaole delivrie, & Dyer and Terminer in the same Countie where such Indictment shall be taken, and also the Justices of the B. Bench after such Indictment shall be removed before them, shall and may proceed upon the same in all points, as they should or ought to do, in case such felonious stroke or poisoning, & death thereof ensuing, had growne all in one same County. And such party to whome Appeal of Murder shall be given by the Law, may commence, take, and sue appeal of Murder in the same County where the party so feloniously stricken, or poisoned, shall die, as well against the principall & principals, as against every accessarie to the same offences, in whatsoever Countie or place the accessarie shall be guiltie to the same. And the Justices before whom any such Appeal shall be commenced, sued, & taken, within the yere & day after such Murder & manslaughter committed, shall proceed against every such accessarie in the same Countie where such appeal shall be so taken, in like manner & forme, as if the same offence of accessarie had been committed in the same Countie where such appeal shall be so taken, as well concerning the triall by the Jurors of the Countie where such appeal shall be taken, upon the plea of not guilty pleaded by such offender, as otherwise. Anno 2. Ed. 6. 24.

Triall where the striking or poisoning is in one Countie, and death in an other.

Appeal of Murder in the Countie where the death followeth.

Appeal against the accessarie.

Where any Murder or felony shall be committed in one County, & an other person, or more shall be accessarie to the same in any other Countie, then an Indictment found or taken against such accessarie, and accessaries, upon the circumstance of such matter (before the Justices of the Peace, or other Justices, or Commissioners, to inquire of Felonies in the Countie where such offences of accessarie shall be committed) shall be as good in the law, as if the said principall offence had been committed within the same Countie, where the same Indictment against such accessarie shall be found. And the Justices of Gaole delivrie, or Dyer & terminer, or two of them, or, or in such Countie, where the offence of any such accessarie shall be committed or done (upon suit to them made) shall write to the Custos Rotulorum, or keepers of the Records, where such principall shall be attainted, or convicted, to certifie them, whether such principall be attainted, or convicted, or otherwise discharged of such principall felony, who upon such writing shall make sufficient Certificate in writing under their seale or seals to the said Justices, whether such principall be attainted, convicted, or otherwise discharged, or not. And after that they do certifie, that such principall is attainted, convicted, or otherwise discharged of such offence: When the said Justices or shall proceed upon every such accessarie, in the Countie where he became accessarie, in such manner and forme, as if both the said principall offence and accessarie had been committed in the said Countie where the offence of accessarie was committed, and every such accessarie, and other offenders, whom expressed, shall answer upon their attainments, and receive such

Triall of an accessarie in one Countie, to an offence done in an other.

Triall.

triall, iudgement, order, and execution, and suffer such forfeitures, as is used in other cases of felonie. An 2. Ed. 6. 24.

**Triall of for-
reine pleas.**

3 All forreine pleas triable by the Countrey, pleaded by any person arraigned upon any Indictment, for any Petit Treason, Felonie, or Murder, shall be forthwith tried by the same Justices before whom such person shall be arraigned, and by the same Iuroys of the same Countie, that shall trie the Petit Treason, Murder, or Felony, whereof he shall be so arraigned, without any further respect or delay, in what soever Countie or place of this Realme the matter of the same pleas be supposed or alleaged. 22. H. 8. 14. 32. H. 8. 3.

**Triall of
Murders &c.
done within
the Kings palace.**

4 All Treasons, Misprisions of Treasons, Murders, Manslaughters, bloodsheds, and other malicious strikinges, by reason whereof blood shall be shed against the Kings Peace, which shall be done within any the Palaces or houses of the King, or his heires, or within any other house or houses, at such times as his Highnesse shall be then abiding in his royall person, shall be inquired of, tried, heard, & determined within any of the Kings houses, or other house, where his Highnesse shall be abiding, before the Lord Steward of the Kings household, and in his absence before the Treasurer and Comptroller of the Kings household, and Steward of the Marshalsey, for the time being, or two of them, whereof the Steward of the Marshalsey to be one, by vertue of their Offices, without any Commission, or other authoritie to them given. And whether the King shall be removed from the house where such offences shall be done, or not, before they be inquired of, heard, and determined, yet such offences shall be inquired of, tried, heard, and determined before the Kings Officers of household, before named, or two of them, by the inquisition and verdict of his household servants in his Checke Roll, at such palace or house where his Highnesse shall be at any time abiding. 33. H. 8. 12. For the limits of the Kings palace, See Fighting 1.

**Inquiry of
bloodsheds by
the yeomen
officers.**

5 The two Clerks Controulers, Clerks of the Checke, and Clerke Marshals for the time being, of the Kings household, or one of them, upon a precept to them, or any of them made, by the Lord Steward, or in his absence by the said Treasurer and Controulers of the Kings household, and the said Steward of the Marshalsey, or by two of them, whereof the said Steward of the Marshalsey to be one, have power to summon, warne, and returne the names of xxiiiij. persons, being yeomen Officers of the Kings said household in the said Checke Roll, to inquire of such Treasons, misprisions of Treasons, Murders, Manslaughters, and other malicious striking, by reason whereof blood shall be shed against the Kings peace, before the said Lord Steward, or the Treasurer, Controulers, and Steward of the Marshalsey, or before two of them &c. And it shall be lawfull to them before whom such returnes shall be made, to cause such number of the said xxiiiij. persons so returned above the number of xij. persons, as to him or them shall seeme expedient, to inquire of such Treasons, misprision of Treasons, Murders, Manslaughters, or other malicious strikinges, by reason whereof blood shall be shed against the Kings peace, within the said palaces, or other the said houses, at any time committed &c. 33. H. 8. 12.

**Arraignment
of an offender
indicted.**

6 And if any person or persons be indicted by the said Iurie, or by inquisition before the Coroner of the said household, & certified before the said Lord Steward, &c. or Treasurer, Controulers, and Steward of the Marshalsey, or two of them, whereof the said Steward of the Marshalsey to be one, then immediately the said Lord Steward, or the Treasurer, Controulers, and Steward of the Marshalsey, or two of them &c. before whom the said Presentment, Inquisition, or Indictment shall be so found or certified by the said Coroner, shall arraigne before them every such person so indicted, according to the course of the common Law, and forthwith after illas ioynd betweene the King and the prisoner so arraigned, the same day,

AND

and place, or any other shall make an other Precept to the said Clerkes Controulers, Clerkes of the Checke, and Clerkes of the said household, or to one of them to summon and returne one Jurie of xiiij. persons, to appeare before the said Lord Steward, or etc. Treasurer, Controulers, & Steward of the said Household, or two of them etc. at such day, time, and place, and upon such paines as shall be then limited, of the Sergeants and Gentlemen officers of the Kings Chamber, and of the said household, which shall take wages by the Kings Checke roll. And the said Lord Steward, or etc. Treasurer, Controulers, and Steward of the said Household, or two of them etc. before whom such Jurie shall be so returned, shall cause twelve of the same Jurie to be sworn, truly to try betwene the King and such person as shall be so indicted & arraigned of such Treasons, Misprisions of Treasons, Murders, Manslaughters, and other malicious Strikings, by reason whereof blood shall be shed against the Kings peace, or any of them. 33. H. 8. 12. What challenge be which is in this sort arraigned, shall have. S. Challenge 9.

7 If such person so indicted & arraigned, be found guiltie of any Treason, misprision of Treason, Murders, or Manslaughters, then he shall have judgement of life and member, and suffer such paines of death, and shall forfeit etc. in like manner, as if he had been found guiltie of any of the said offences by the order of the Common Lawes. 33. H. 8. 12. How he shall be punished, which striketh maliciously within the Kings pallace, whereby blood shall be shed. S. Fighting 1.

8 If any of the Lords of the Parliament, or Peeres of this Realme, shall be indicted of any offence made Treason by the Act made 5. El. 1. against the clipping, washing, rounding, or filing of Coyne, Then they, and every of them shall have his or their trial by their Peeres, as hath been used in cases of high Treason. And so shall any Peere of this Realme, which shall be indicted of any offence made Treason by the Statute of 18. Eliz. 1. provided against the diminishing and impairing of the Queens Coyne, and other Coynes lawfully current within this Realme. And so shall any Peere that shall offend contrarie to the Act provided, An. 5. Eliz. 1. for the assurance of the Queens royall power over all States and Subjects, or any branch or article thereof. And so shall any Peere being indicted of any of the offences prohibited by the Statute made 13. Eliz. 1. against the bringing in of Bulls etc. from Rome. And so shall any Peere which shall be indicted of any offence made Treason or misprision of Treason, by the Statute provided 23. Eliz. 1. to retain the Queens Subjects in due obedience. And so shall any Peere which shall be indicted of any offence made Treason, Felonie, or Præmunire, by the Statute provided 27. Eliz. 2. against Jesuites, Seminarie Priests etc. And Ladies of great estate, viz. Duchesses, Countesses, or Baroneses, which shall be indicted of any Treason or Felonie by them done, whether they be married, or sole, shall be brought to their answer, and put to answer, and judged before such Judges and Peeres of the Realme, as Peeres of the Realme should be, if they were indicted or impeached of such Treasons or Felonies committed, and in like manner and forme, and none otherwise. 20. H. 6. 9.

9 If a Release or other defence be pleaded in barre in Assise, or other pleas of land, or in any action grounded upon a contract, covenant, or trespass, being dated within any franchise where the King writt runneth not, it shall be tried in the Countie where the action is brought, and if witnesses be in the dard, proccesse shall be made into the same Countie, and if the witnesses do not come at the ground distresse returned, the Justices shall take the Enquest, as well as if the dard had borne date in the same County where the suit was moved, and that the witnesses had been of the same Countie. 9. E. 3. 4. S. Wicnesse 2.

10 All offences of Conjuracions, Witchcraft, and dealing with evil & wicked Spirits, Murder, Manslaughter, felonious burning of houses, and Coyne, Burglarie, Scotland.

The punishment of the parties attainted.

Trial of Peeres.

S. Treason 5

Treason 6.

Rome 1.

Rome 2.

Rome 7. 8.

Jesuites 2. 4. The order of the trial of Ladies.

Trial of a dard, where the King writt runneth not.

Trial of felonies committed by Englishmen in glaris, Scotland.

Triall.

Witnesses al-
lowed to him
that is ar-
raigned.

In English-
man commit-
ting felonie in
Scotland
may be sent
thither to be
tried.

Like Act is
to be made in
Scotland.

The prosecu-
tors and wit-
nesses bound
to give evi-
dence.

glarie, robbing of houses by day, robberie, theft, the detestable vice of Buggery committed with Mankind, or beast, and Rape, heretofore done and committed since his Majesties committing to the Crowne of England, so hereafter to be done or committed, by any his Majesties naturall bozne Subjects of this Realme of England, or the Dominions of the same within the Realme of Scotland, or the Dominions thereof, and the Accessories, of, and to the same, shall be from henceforth inquired of, heard and determined before his Majesties Justices of Assise, or his Commissioners of Oyer & Terminer, or Gaole deliverie, being naturall bozne Subjects within this Realme of England, & none other, by god and lawfull men of the Counties of Cumberland, Northumberland, Westmerland, or any of the said Counties, at the election of the said Justices of Assises, or Commissioners in like maner & forme to all intents & purposes (the alterations hereafter in this Act expessed, onely excepted) as if such offences had been done & committed within the same Shire, where they shall be so inquired of, heard, & determined, as is aforesaid. At which trials for the better discoverie of the truth, and for the better information of the consciences of the Jurie & Justices, there shall be allowed unto the the partie so arraigned, the benefit of such witnesses onely to be examined upon oath, that can be produced for his better clearing and iustification, as hereafter in this Act are permitted and allowed. 4. Jac. 1. If at any time or times after the end of this present Session of Parliament, any person or persons shall commit any offence or offences within the Realme of Scotland, which by the lawes of this Realme of England is, are, or shall be declared or adjudged to be pettie Treason, Murder, Manslaughter, felonious burning of houses & cozie, Burglarie, Robbing of houses by day, Robberie, Theft or Rape, and so or shall fly or escape into the Realms of England, and be or shall be apprehended within any the Counties of Northumberland, Cumberland, Westmerland, or any parts or members of the same, or within the parts or places lying on the North side of the River of Tyne, commonly called or knowne by the names of Bedlington Shire, Northam Shire and Island Shire, the towne and Countie of Newcastle upon Tyne, and the Towne of Barwick upon Tweede, with the bounds and liberties thereof, That then it shall and may be lawfull to and for the Justices of Assise, or any one of them in the absence of the other, the Justices of Gaole deliverie at their Gaole deliverie, or any foure of them, or the Justices of Peace in their generall or quarter Sessions, or any foure of them upon mature and due Examination of the said offence or offences in open Sessions, and pregnant proofes of the same by warrant under their hands and seales, to remaund and send all and every such offender or offenders into the Realme of Scotland, there to receive their triall for any the offences aforesaid by them there committed: Any thing in the said Statute contained to the contrarie thereof notwithstanding. Provided nevertheless, that this Statute nor any clause therein contained, shall take effect or be in force, or in any wise be deemed or expounded to take effect, to any intent, construction or purpose untill a law by act of Parliament be made and established within the Realme of Scotland, for the remaunding & sending out of the Realme of Scotland into the Realme of England all and every person and persons bozne within the Realme of Scotland, or the dominions of the same, which shall at any time hereafter commit any the offences aforesaid within the Realme of England, to receive his and their triall within the Realme of England, for all and every the said offences by them committed in the said Realme of England 7. Jac. 1. To continue to the end of the first Session of the next Parliament.

11 Everie Justice of Peace of the Counties aforesaid, unto whom complaint shall be made, shall have full power and authoritie by vertue of this act to bind over by Recognisance in a convenient summe taken to his Majesties use, aswell the partie

partie prosecuting, as any witnesses, which he shall desire to produce (so as the said witnesses may have their reasonable charges first tendered unto them) to prosecute and give in evidence before such his *Spaies* Justices as aforesaid, as the case shall require. 4. Jac. 1.

12 *Everie* Commander, procurer, counsellor, abbot, better, comforter, receiver, or other accessarie, of, or to any the offenders, or offences aforesaid, so committed in Scotland, as aforesaid, offending within the Realmes of England or Scotland, shall be produced, with all indicted, tried, judged, & executed without delay, notwithstanding the principals, or any of them be not convicted, or attainted. And that no such offender, either accessarie or principall shall be allowed the benefit of his Clergie, nor admitted to his peremptorie challenge of above the number of five. And that everie indictment of any of the offences aforesaid so committed as aforesaid, shall be adjudged of as good force in Law, notwithstanding the words (*Contra Pacem, Coronam, & dignitatem nostram*) be omitted, as if the said words had been therein contained. 4. Jac. 1.

The Accessarie tried though the principall be not.

No Clergie.

No peremptorie challenge above five.

The words of the Indictment

13 No *Sheriffe*, *Undersheriffe*, or other *Minister*, to whom it appertaineth, shall returne any *Juro* to enquire of, or trie any of the offences aforesaid, so committed as aforesaid, except everie such *Juro* shall have *frechold* in possession, to the value of five pounds by the peace in the Countie, where such inquirie and triall shall be, upon paine to forfeit for everie *Juro* that shall be returned contrarie to this Act the summe of xl. l. to the R. and A. to be recovered by A. of debt B. p. or J. in any of the R. Courts at *Westminster*, wherein no C. p. or W. And the offender, shall and may challenge any *Juro* that shall passe upon his life, for want of such *frechold*, as aforesaid. 4. Jac. 1.

Every Juro must have b. l. of frechold.

14 No naturall Subject of his *Spaies* of the Realme of England, or of the Dominions of the same, shall for any the offences aforesaid committed within the Realme of Scotland, or for being accessarie to the same, forfeit any Lands, Tenements, or Hereditaments, either *free*, *Copie*, or Customarie hold, neither shall the blood of such Offender be corrupted, nor the wife lose her Dower; yet never thelesse the said offenders shall forfeit to his *Spaies* his heires & successors, their goods, chattels, and credits whatsoever. 4. Jac. 1.

The offender shall forfeit no land.

15 And so far as much as it is intended, that an Act like unto this shall be ordained in the Realme of Scotland, for the tryall and punishment of offenders, being his *Spaies* naturall bozne Subjects of the same Realme, which shall commit any of the offences aforesaid within the Realme of England, or the Dominions thereof, and shall after escape, or returne backe into Scotland. Therefore be it enacted &c. That upon complaint made by any of his *Spaies* Subjects of the Realme of England, to any of the Justice of Assise, Commissioners of Oyer and Terminer, or Gaole delivrie, or Justice of the Peace, within the precincts of their severall Commissions respectively, being naturall bozne Subjects within the Realme of England, concerning any such offence committed by any his Subjects of the Realme of Scotland, within the Realme of England, in case where the offender is returned into the Realme of Scotland, as aforesaid, the said Justice or Commissioner shall have full power & authoritie, to bind over aswell the said partie complaining or prosecuting, as any witnesses that he shall desire to produce (so as their reasonable charges be first tendered unto them) by Recognizance in a convenient summe to his *Spaies* use, to prosecute and give in evidence within the Realme of Scotland, wherein if default shall be made, and the same proved by certificate or otherwise before the Lord Treasurer, Chancellour, and Barons of the Exchequer, or any of them in the Exchequer Chamber, and a Decree there made, that the same Recognizance shall stand forfeited, When the Court of Exchequer shall thereupon procede for the levying of the Debt of the said Recognizance, as if it were adjudged.

Like Act made in Scotland.

Binding the complainant or witness to give evidence in Scotland.

Triall.

ged forfeited by the course of the common Law. 4. Jac. 1.

Scottishmen
repairing into
England to
give evidence
shall be free
from arre-
sting.

16 On the other part, euerie of his Maiesties Subjects of the Realme of Scotland, either partie grieved, or witnesse, which shall prosecute in any the cases aforesaid, within the Realme of England, and thereby shall haue occasion to make his repaire hither, either voluntarie, or by the like Bond (as is before expressed, on the part of the Realme of England) shall haue and enjoy Priviledge & immunitie from all manner of Arrests, concerning all offences, or other causes, aswell capitall, as others, committed, done, or occasioned, before he shall so come into England, as aforesaid (except Treason, or wilfull Murder) so long as he or they shall be necessarily going, committing, or abiding, within the said Realme of England, so; the prosecution of the said offenders. 4. Jac. 1.

The offence
shall be im-
posed
where it is
done.

17 Provided neuertheless, that euerie such offence so committed, as aforesaid, shall be laid and alledged in the Indiamment or other declaration, to be done & committed in the Realme of Scotland, according to the truth of the fact, and not in the Counties, where the Triall is limitted, to be had and made, as aforesaid: Any thing in this Act formerly contained, to the contrary notwithstanding. 4. Jac. 1.

He that is
once tried shall
not be est-
sioned called
in question.

18 Provided, that if any his Maiesties Subjects of the Realme of Scotland, shall be proceeded with and tried in the Realme of Scotland, vpon the prosecution of any partie grieved, & vpon evidence in open Court for any offence done or committed within the Realme of England, that no such person shall be estsioned called in question, or proceeded with for the same fact within the Realme of England, But that if shall be lawfull for euerie such person, to plead & allege for himselfe vpon his arraignment, that he was formerly lawfully acquitted, convicted, or attainted of the same offence within the Realme of Scotland, And that thereupon all further proceeding shall stay, untill the Court haue sufficiently informed themselves by Certificate from the Realme of Scotland, or by any other good waies, & meanes of the truth of the said allegations, which if they shall find true, the said person shall be forthwith discharged of all further impeachment or proceeding. 4. Jac. 1.

None shall be
set out of En-
gland to re-
ceive the trial.

19 As naturall borne Subject of the Realme of England, or the Deminions of the same, shall for any high Treason, misprision, or concealment of high Treason, petty Treason, or any other whatsoeuer offence or cause committed within Scotland, be sent out of England, where he is apprehended, to receive his tryall, untill such time as both Realmes shall make one in Lawes and Gouernement.

The Jurors
shall allow of,
or reject the
witnesses.

20 At all such trials, the Jurors then and there sworn, or the greater part of them (who in respect of the great trust and charge which must now be layed vpon them, are by vertue of this Act as before appeareth, to be persons of better condition and qualitie then the Law required heretofore for Jurors in trials of like offences) shall haue in their power and election according to their conscience and discretion vpon their oaths, to receive and admit onely such sufficient, good, and lawfull witnesses vpon their oaths, either for, or against the partie arraigned, as shall not appeare to them, or the greater part of them to be vnfit and vnworthy to be witnesses in that case, either in regard of their hatred & malice, or their fauor and affection, either to the partie prosecuting, or to the partie arraigned, or of their former euill life and conuersation. 4. Jac. 1.

Triall by
Juries.

21 Provided, that if the offender in any the cases aforesaid, shall be a Peer of the Realme, then his triall therein shall be by his Peeres, as is vsed in cases of Felonie or Treason, and not otherwise. 4. Jac. 1.

1 For the triall of Treasons, misprision of treason, and murders, by speciall commission. S. Treason 9. Piracie 1.

2 For the triall of Treasons committed out of the Realme. S. Treason 10.

3 For the triall of Treasons committed in Wales, & where the K. writt runneth not. S. Treason 12.

4 That

4 That trials of Treasons shall be according to the course of the Common lawes. S. Treason 13.

5 Who shall be admitted to passe in trial of Felonies and Treasons in corporat Townes. S. Jurors 1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100.

16 Where trials shall be *De medietate Lingue*, and where not. S. Jurors 29. 30.

Attaint 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100.

7 For the trial of him which imbeseth a Record. S. Felonie 18.

8 By whom bastardie is alleged in him that is borne beyond the Sea shall be tried. S. Abidie 1.

9 For the punishment of a Felon which refuseth lawfull triall. S. Felonie 42.

10 For the trial of offences done upon the maine Seas. S. Piracie 1. 2. 4.

11 For the trial before the Sherifes or in Courte barons, or in corporat townes in Wales. S. Wales 42. 55.

12 The trial of the armall, discharging, and delivrie of brasse and other metals, into any part beyond the Sea. S. Brasse &c. 1.

Turnes of Sherifes.

NO Sherife nor his Bailife, shall hold his Turne but in the due and accustomed place, and but twice in the yeare, that is, once within a moneth after Easter, and another time within a moneth after Michaelmas. (And if he doe hold his Turne in other manner, he shall lose his Turne for that time. 31. E. 3. 14.) And the view of frankpledge, shall be at the feast of S. Michael without any day, so that every man may have his liberties. And the view of frankpledge shall be so used, as that the li. peace may be preserved, and that the Wything may be kept whole, as it had wont to be. And the Sherife shall seeke no occasion, but be content with that which the Sherife had wont to have at his Leete, in the time of R. H. 2. Mag. Char. 9 H. 3. 36.

It is to be noted that the Sherife may hold his Turne.

2 Archbishops, Bishops, Carles, Barons, and women, neede not to come to the Sherifes turnes, except their presence for any cause be specially required. And they which have land in divers Hundreds, need not to come to such turnes, but in the bailiwicks where they be conversant. Marib. 52. H. 3. 3. 10.

3 Sherifes in their turnes may inquire, & determine everie default and offence of Hostlers, making hostlethead (not of sufficient, lawfull, and due assise, according to the price of cozne) committed within the limits of their Jurisdictions. 32. H. 8. 41. S. Inholders 2.

4 And also they may there inquire of attachements made by the Officers of the Courts of the East Marches, or West Marches, out of any of the Counties of Westmerland, Cumberland, or Northumberland, or the towne of Newcastle upon Tyne, and therein proceed, as they may upon presentments taken before them in their turnes, of trespasses, or assayres made against the Kings peace. 31. H. 6. 3. S. Marches 1.

Attachement in the Marches.

5 And also they may there inquire by the oaths of xij. lawfull men, of all offences committed contrarie to the statute provided 7. E. 6. To avoid the prices and excesse of wines, and everie presentment taken by the oaths of xij. men, shall be of such force, as if the same were taken in the li. Bench. 7. E. 6. 5.

1 What Jurors shall be returned in a Sherifes Turne. S. Jurors 14.

2 That an indictor in the Sherifes Turne, which is sued in a spirituall Court, shall have a Prohibition. S. Prohibition 7.

3 At what time Sherifes in Wales shall keepe their Turnes, who shall have the Fines, Issues, and Amerciaments, there forfeited, and who shall afferre them. S. Wales 43.

Vagabonds,

Vagabonds, Rogues, &c.

Vagabonds, Rogues, &c.

The Just. of
P. shall set
downe orders
for the creation
and mainte-
nance of hou-
ses of corre-
ction.

I shall and may be lawfull to and for the Justices of Peace of any Countie, or Citie in this Realme or the Dominions of Wales, assembled at any quarter Sessions of the Peace within the same Countie, Citie, Borough, or Towne corporat, or the more part of them; to set downe order; to erect, and cause to be erected one or more houses of correction within their severall Counties, or Cities: for the doing and performing whereof, and for the providing of stocks of money, and all other things necessarie for the same; and the raising and governing of the same, and for correction and punishment of offenders thither to be committed, such orders as the same Justices or the more part of them, shall from time to time take, reforme, or set downe in any their said quarter Sessions in that behalf, shall be of force, and be duly performed and put in execution. 39. Elizab. 4. Justices of Peace. 73.

who shall be
adjudged
Rogues, Va-
gabonds and
sturdy beg-
gers.

2 All persons calling themselves Schollers, going about begging, all Sea-
ring men pretending losses of their Ships or goods on the Sea, going about the
Countrie begging, All idle persons going about in any Countrie either begging
or using any subtil craft, or unlawfull games and plaies; or faining themselves
to have knowledge in Physicke, or Chirurgery, or otherlike craftie science, or
pretending that they can tell destinies, fortunes, or such other fantasticall imagi-
nations, All persons that be, or offer themselves to be preachers, procurers, patent
gatherers, or collectors for Charities, Hospitals, or Hospitals, All Fencers, Beere-
wards, common Players of Enterludes, and Minstrels wandring abroad, All
Juglers, Linkers, Pedlers, & petty Chapmen, wandring abroad, All wandring
persons and common labourers, being persons able in bodie, using loitering, and
refusing to worke for such reasonable wages as is taried or commonly given in such
parts where such persons doe, or shall happen to dwell or abide, not having lining
otherwise to maintaine themselves, All persons delivered out of Charities, that doe
begge for their lives, or otherwise do travell begging: All such persons as shall wan-
der abroad begging, pretending losses by fire, or otherwise: (All such person and
persons as shall wander by or do the Countrie to sell glasses. 1. Jac. 7.) And all
such persons not being felons, wandring and pretending themselves to be Egyp-
tians, or wandring in the habit, forme, or attire of counterfeit Egyptians, shall be
taken, adjudged, & deemed Rogues, Vagabonds, & sturdy Beggers, & shall sustaine
such paine and punishments, as by this Act is in that behalf appointed. But this
act shall not extend to any children under the age of 7. yeres. 39. Eliz. 4.

The punish-
ment of a Va-
gabond.

3 Every person which is by this present Act declared to be a Rogue, Vaga-
bond, or sturdy begger, which shall be at any time taken begging, vagrant, wan-
dring, or misdoing themselves in any part of this Realme or the Dominion of
Wales, shall upon their apprehension by the appointment of any Justice of peace,
Constable, Headborough, or Tithingman of the same Countie, Hundred, Parish,
or Tithing, where such person shall be taken (the Tithingman or Headborough be-
ing assisted therein with the advise of the Minister, and one other of that parish) be
stripped naked from the middle upwards, and shall be openly whipped, untill his or
her bodie be bloudie: And shall be forthwith sent from parish to parish by the offi-
cers of everie the same, the next straight way to the parish where he was borne, if
the same may be knowne by the parties confession or otherwise. And if the same be
not knowne, then to the parish where he or she last dwelt before the same punish-
ment, by the space of one whole yeare, there to put him or her selfe to labour as a
true subject ought to doe: And not being knowne where he or she was borne, or last
dwelt, then to the parish through which he or she last passed without punishment.

After

After which whipping the same person shall haue a Testimoniall subscribed with the hand, and sealed with the seale of the same Justice of peace, Constable, Headborough, or Tythingman, and of the Minister of the same parish or of any two of them, testifying that the same person hath bene punished according to this Act, and mentioning the day and place of his or her punishment, and the place wherunto such person is limited to go, and by what time the said person is limited to passe thither at his perill. And if the said person through his or her default do not accomplish the order appointed by the said testimoniall, then to be escones taken and whipped, and so as often as any default shall be found in him or her contrary to the forme of this statute, in euery place to be whipped, til such person be repaired to the place limited: The substance of which Testimoniall shall be registred by the Minister of that Parish, in a booke to be provided for that purpose, upon paine to forfeit v. s. for euery default thereof. And the partie so whipped, and not knowne where he or she was borne, or last dwelt by the space of a yeare, shall by the Officers of the said Tillage, where he or she so last past through without punishment, be conueyed to the house of correction of the limit wherein the said Tillage standeth, or to the common gaole of that Countie or place, there to remaine and be imployed in worke, until he or she shall be placed in some seruice, and so to continue by the space of one yeare, or not being able of bodie, untill he or she shall be placed to remaine in some Almshouse in the same Countie or place. 39. El. 4.

4. Provided alwaies, if any of the said Rogues shall appeare to be daungerous to the inferiour sort of people, where they shall be taken, or otherwise be such as will not be reformed of their roguish kind of life by the former provisions of this Act: Then it shall and may be lawfull to the said Justices of the limit where any such Rogue shall be taken, or any two of them, whereof one to be of the Quorum, to commit that Rogue to the house of correction, or otherwise to the Gaole of that Countie, and then such of the same Rogues so committed, as by the Justices of the peace then and there present, or the most part of them, shall be thought fit not to be deliuered, shall and may be lawfully by the same Justices, or the most part of them, then present in their open Sessions of the peace, be branded in the left shoulder with an hot burning iron of the breadth of an english shilling, with a great Roman R. vpon the Iron, and the branding vpon the shoulder to be so thoroughly burned and set on vpon the skin and flesh, that the letter R. be scene, and remaine for a perpetuall marke vpon such Rogue, during his or her life, and thereupon be sent by the same Justices to the place of his dwelling, if he haue any, if not, then to the place where he last dwelt by the space of a yeare, if that can be knowne by his confession or otherwise: And if that cannot be knowne, then to the place of his birth, there to be placed in labour, as a true subiect ought to be. And after such punishment of any such Rogue, as is aforesaid, if any Rogue so punished shall offend againe, in begging or wandring contrarie to the said Statute, or this Act, Then in euery such case, the partie so offending shall be iudged a felon, & shall suffer as in cases of felonie, without benefit of Clergie, the same felonie to be tried in the Countie where any such offender shall be taken. 39. El. 4. 1. Jac. 7.

5. Euery person or persons shall apprehend, or cause to be apprehended, such Rogues, Vagabonds, and sturdy beggers, as he or they shall see or knowe to resort to their houses, to begge, gather, or receive, any almes: & him, her, or them, shall carie, or cause to be caried to the next Constable or Tythingman, vpon paine to forfeit for euery default v. s. to be leuied and imployed in maner and forme, and vpon such like proofe and conviction, as penalties and forfeitures are to be leuied and imployed by the said Stat. of 39. Eliz. And in default of such leuie, then to be leuied and imployed by the Lord of the Lat, or his officer, where such offence shall be committed, in such maner as the persons authorized by the said Statute, might, or should haue.

Rogues which be dangerous, or will not be reformed.

Branded with a hot iron R.

Felonie.

Euery person shall apprehend a rogue.

Vagabonds, Rogues, &c.

The fozt. of
a Constable.

Disturbing
the execution
of the statute.

Bringing in
to this realme
of Irish,
Scottish, or
Spanishe
Vagabonds.

Diseased per-
sons resorting
to Bathe or
Burton.

The Just.
within towne
corporat, shall
enely inter-
meddle.

haue leuied and imployed the same. If such Constable or Tithingman do not cause the said Rogues, Vagabonds, and Sturdie Beggers, to be punished, according to the forme set downe in the said Act, of 39. Eliz. and to be conveyed accoꝛd to the purport of the said Act, then the said Constable or Tithingman shall forfeit xx. s. for euery default to be leuied and imployed in maner and forme as in the said Stat. is declared. And also if any person or persons do in any wise disturbe or let the execution of this law, or any part thereof concerning the punishment and conveying of Rogues, Vagabonds, Sturdie Beggers, or the reliefe or selling of poꝛe impotent persons in any maner of wise, or make rescous against any officer or person authorized by this present act, for the due execution of any the premises, the same person so offending shall forfeit and lose for euery such offence, the summe of five pounds, and shalbe bound to the good behauiour. 39. Eliz. 4. 1. lac. 7.

6 No person or persons hauing charge in any voyage, in passing from the Realmes of Ireland or Scotland, or from the Isle of Man into this Realme of England, shall wittingly or willingly bring or conuey, or suffer to be brought or conueied in any vessell or boat, from and out of the said Realme of Ireland, Scotland, or Isle of Man into the Realme of England or Wales, or any part thereof, any Vagabond, Rogue, or Begger, or any such as shall be forced or verie like to liue by begging within the Realme of England or Wales, being boꝛne in the same Realmes or Island, on paine of euery such person so offending, to forfeit and lose for euery such Vagabond, Rogue, Begger or other person like to liue by begging, xx. s. to the vse of the poꝛe of the said parish in which they were set on land. And if any such Spanishe, Scottish, or Irish Rogue, Vagabond, or begger, be alreadie, or shall at any time hereafter be set on land, or shall come into any part of England or Wales, the same after he or she shall be punished as aforesaid, shall be conueyed to the next port or parish in or nere which they were landed, or first came, in such sort as Rogues are appointed to be by this present Act, from thence to be transported at the Common charge of the Countie where they were set on land, in those parts from whence they came or were brought. And euery Constable, Headborough, and Tithingman, neglecting the due performance thereof, shall forfeit for euery such offence, r. s. 39. Eliz. 4.

7 No diseased or impotent poꝛe person, shall at any time resort or repaire from their dwelling places, to the Citie of Bathe or towne of Burton, or either of them, to the Bathes there for the ease of their griefes, vntill such person doe shew to begge, and be licenced to passe thither by two Iustices of peace of the Countie where such person doth or shall then dwell or remaine, and provided for to trauell with such reliefe, for and towards his or their maintenance, as shall be necessarie for the same person, for the time of such his or her trauell, and aboade at the Citie of Bathe and towne of Burton, or either of them, and returne thence and shall returne home againe as shall be limited by the said licence, vpon paine to be reputed punished, and vied as Rogues, Vagabonds, and Sturdie beggers, declared by this present Act. And the inhabitants of the same citie of Bathe, and towne of Burton, shall not in any wise be charged by this act, with the finding or reliefe of any such poꝛe people. 39. Eliz. 4.

8 Provided alwaies that the Iustices of peace within any Countie of this Realme or Wales, shall not intromit or enter into any Citie, Borough, or towne corporat, where be any Iustice or Iustices of the peace for any such Citie, Borough or towne corporat, for the execution of any bzaunch, article, or sentence of this Act, for or concerning any offence, matter, or cause, growing or arising within the precincts, liberties, or iurisdiccions of such Citie, Borough, or towne corporat, But that it may and shall be lawfull to the Iustice and Iustices of the peace, Sheriffs, Bailiffes, and other head Officers of those Cities, Boroughes, & towne corporat

corporat, where there be such Iustices of the peace, to proceed to the execution of this Act, within the precinct and compass of their liberties, in such manner & forme as the Iust. of B. in any Countie may or ought to doe within the same Countie, by vertue of this Act: any thing in this Act to the contrary thereof in any wise notwithstanding. 39. Eliz. 4.

9 Provided also, that this Act, or any thing therein contained, shall not extend to the poore people for the time being, in the Hospitall, called Saint Thomas Hospitall, otherwise called the Kings Hospitall in the Borough of Southwarke nere adjoining to the Citie of London, but the Prior, Comminaltie, and Citizens of the said Citie of London for the time being, shall and may haue the rule order and gouernement of the said Hospitall, and of the poore people therein for the time being: any thing in this Act to the contrary notwithstanding. 39. Eliz. 4.

S. Thomas Hospitall in Southwarke

10 Provided, alwaies that this Act or any thing therein contained, or any authoritie thereby giuen, shall, not in any wise extend to disinherit, preiudice, or hinder John Dutton of Dutton in the Countie of Chester Esquire, his heires or assigns, for, touching, or concerning any libertie, preeminence, authoritie, iurisdiction, or inheritance, which the said John Dutton now lawfully useth, or hath, or lawfully may or ought to vse in allowing Spinners within the Countie of Lancashire of Chester, and the Countie of the citie of Chester; or either of them, for the gouernement of Spinners there and keeping a Court yearly for that purpose, by reason of any auncient Charters, or any Kings of this land, or by reason of any prescription, usage, or title, whatsoever. 39. Eliz. 4. 1. Jac. 1. 5.

The iurisdiction of John Dutton of Dutton reserved.

11 All fines and forfeitures appointed, or to grow by this Act (except such as are otherwise limited and appointed by this Act) shall wholly go and be imploied to the vse of the reparations and maintenance of the said houses of correction, and stocks and stoe thereof, or reliefe of the poore where the offence shall be committed at the discretion of the Iustices of peace of the same Limit, Citie, Borough, or Towne corporat. And all fines and forfeitures appointed, or to grow by conviction of any person, according to this Act, shall by warrant vnder the handes and seales of any two or more of the Iustices of the peace of the same Countie, Citie, Borough, or Towne corporat, be leuied by distresse, and sale of the goods and chattels of the offender, which sale shall be good in the law against such offender. And if any of the said offences shall be confessed by the offender, or that the same shall be proued by two sufficient and lawfull witnesses, before such two or more Iustices of the peace: Then every such person shall forthwith stand and be in the law convicted thereof. 39. Eliz. 4.

In what sort the forfeitures shall be imploied.

12 Any two or more Iustices of the peace within all the said Shires, Cities, Boroughs, or Townes corporat, whereof one to be of the Quorum, shall haue full power by authoritie of this present Act, to heare & determine all causes, that shall grow or come in question, by reason of this Act. 39. Eliz. 4. S. Iust. of peace 74.

Iust. of peace may heare & determine all the causes of this statute.

13 The Lord Chancelor, or Keeper of the great Seale of England for the time being, shall and may at all times hereafter, by vertue of this Act, without further warrant, make & direct commission or commissions vnder the great Seale of England, to any person or persons, giving them, or some of them thereby authoritie, as well by the oathes of god and lawfull men, as of witnesses, or examination of parties, or by any other lawfull waies or meanes whatsoever, to inquire what summes of money, or other things haue been, or shall be collected or gathered, for, or towards the erection of any houses of Correction, or any stocks or other things to set poore on worke, or for the maintenance thereof, at any time after the tenth day of Nouember, in the 18. yeare of the Reigne of the Quene, and by whom the same were or shall be collected or gathered, and to whose hands comen, and to what vse, and by whose direction the same was, or shall be imploied. And

Commissioners to inquire for money gathered for houses of Correction, or stocks for the poore.

Vagabonds, Rogues, &c.

To call all and euerie such person and persons, and their suesties, and euerie of their executoꝝ oꝝ administꝛatoꝝ to an account: And to compell them, and euerie of them by attachment of their goods, oꝝ bodies, to appeare before them foꝝ the same, and to heare and determine the same, and to leuie such money and things, as they shall find not to haue bene duely employed vpon the said houses of Coꝛrection, oꝝ stockes, oꝝ vpon other like vses, hauing in such other like vses, respect of things past by the said Commissioners to be allowed of, either by distresse, and sale of the goods and chattels, of such persons as they shall thinke fit to be chargeable, oꝝ answerable foꝝ the same, oꝝ by imprisonment of their bodies at their discretion: And the same Commissioners shall haue full power and authoritie to execute the same Commission, according to the tenoꝝ and purpoꝛt therof: And all their proceedings, doings, iudgements, and executions, by foꝛce and authoritie thereof, shall be, and remaine good and available in the Law: Which said money so leuied by the said Commissioners, shall be deliuered and employed foꝝ the erecting oꝝ maintenance of the same. 39. Eliz. 4.

Provision
foꝝ poꝛe & c:
sailing men,

14 Provided alwayes notwithstanding, that euery seafaring man suffering Shipwreck, not hauing wherewith to relieue himselfe in his trauels homewards, but hauing a Testimoniall vnder the hand of some one J. of the Sh. of, oꝝ nere the place where he landed, setting downe therein the place and time, where, and when he landed, and the place of the parties dwelling, oꝝ by, vnto which he is to passe, and a conuenient time therein to be limited foꝝ his passage, shall and may without incurring the danger and penaltie of this Act, in the vsuall wayes directly to the place vnto which he is directly to passe, and within the time in such his Testimoniall limited foꝝ his passage, aske, and receiue such reliefe, as shall be necessarie, in and foꝝ his passage. 39. Eliz. 4. l. 7. To continue vntill the end of the next Parliament.

There shall be
a house of coꝛ-
rection in euery
shire to set idle
persons to
worke.

15 Before the Feast of Saint Michaele the Archangell which shall be in the yeare of our Lord God 1611. there shall be erected, built, oꝝ otherwise provided, within euery Countie of this Realme of England and Wales, where there is not one house of coꝛrection already built, purchased, provided oꝝ continued, one oꝝ moꝛe fit and conuenient house oꝝ houses of coꝛrection, with conuenient backside thereunto adioyning, together with Pilles, Turnes, Cards, and such like necessarie employments, to set the said Rogues, oꝝ such other idle persons on worke: The same houses to be built erected oꝝ provided in some conuenient Town oꝝ place in euery Countie; which houses shall be purchased, conueyed oꝝ assured vnto such person oꝝ persons, as by the Iustices of peace, oꝝ the moꝛe part of them, in their quarter sessions of the peace, to be holden withiueuery Countie of this Realme of England and Wales, vpon trust, to the intent the same shall be used and employed foꝝ the keeping coꝛrecting and setting to worke of the said Rogues, Vagabonds, Sturdie Beggers, and other idle and disorderly persons. 7. Jac. 4.

The Justices of
peace if the
house of coꝛ-
rection be not
provided.

16 If the said house so to be erected, purchased oꝝ provided, shall not be erected, built, oꝝ otherwise provided before the Feast of Saint Michaele the Archangell which shall be in the yeare of our Lord God 1611. next ensuing the last day of this present session of Parliament, then euery Justice of peace withiueuery Countie of this Realme of England and Wales, where such house and backside shall not be erected and provided, shall foꝛfeit foꝝ his said neglect, w. l. of lawfull English money, the one moitie thereof to be vnto him oꝝ them that will sue foꝝ the same by Action of debt B. D. oꝝ J. in which suit no w. C. oꝝ w. l. of law shall be admitted: And the other moitie thereof to be employed and bestowed towards the erecting, building, procuring oꝝ providing the said house and backside and such necessarie employments as aforesaid. 7. Jac. 4.

17 The Justices of peace of euery Countie withiue the Realme of England and Wales

Wales, at their quarter Sessions of the peace to be holden for their severall Countie (next after the erecting, providing or building of the said house or houses, and so from time to time) or the most part of them, shall elect, nominate, and appoint at their will and pleasure, one or more honest fit person or persons, to be governor or master of the said house or houses so to be purchased, erected, built or provided: Which person and persons so chosen by vertue of this present Act, shall have power and authoritie, to set such Rogues, Vagabonds, idle and disorderly persons as shall be brought or sent vnto the said house, to worke and labour (being able) from time to time, for such time, as they shall continue, and be remaining in the said house of correction, and to punish the said Rogues, Vagabonds, idle and disorderly persons, by putting fetters or gues upon them, and by moderate whipping of them: And that the said Rogues, Vagabonds, and idle persons, during such time as they shall continue and remaine in the said house of correction, shall in no sort be chargeable to the Countie for any allowance, either at their bringing in, or going forth, or during the time of their abode there, but shall haue such and so much allowance, as they shall deserve by their owne labour and worke. 7. Jac. 4.

The Governour shall be appointed of euery house of correction, and his authoritie.

The Rogues shall not be chargeable to the Countie.

18 The said Iustices of peace of euery Countie within euery of their severall deuisions twice in euery yeare at the least, and oftener if there be occasion, shall assemble and meete together, for the better execution of this Statute, and that some foure or five dayes before their assemble and meeting, the said Iustices or the more part of them, shall by their warrant commaund the Constables, and Wythingmen of euery Hundred, Towne, Parish, Villlage, and Hamlet within their said severall deuisions, which shall be assisted with sufficient men of the same place, to make a generall priue search in one night within their said Hundreds, Townes, Villages and Hamlets, for the finding out and apprehending of the said Rogues, Vagabonds, wandring and idle persons, and that such Rogues, Vagabonds, wandring and idle persons as they shall then find and apprehend in the said search, shall by them be brought before the said Iustices, at their said assemble or meeting, there to be examined of their idle and wandring life, there to be punished, or otherwise by their warrant to be sent or conveyed vnto the said house or houses of correction within the said Countie, appointed and prefixed, there to be deliuered vnto the Master or Governour of the said house, or to his deputie or assignee to be set to labour and worke, at which daies and times of assemble or meeting, so to be held by the said Iustices of Peace, the Constables, and Wythingmen of euery Hundred, Parish, Towne, Villlage, and Hamlet, shall then appeare in euery their severall deuisions, before the said Iustices of Peace, at the said assemblies or meetings, and there shall giue accompt and reckoning vpon Othe, in writing, and vnder the hand of the Minister of euery Parish, what Rogues, Vagabonds, and wandring and disorderly persons, they haue apprehended both in the same search, and also betwene euery such assemblies and meetings, and how many haue bene by them punished, or otherwise sent vnto the houses of correction: Which if the said Constables or Wythingmen shall neglect to performe, as also, to conuey safely all such Rogues, with all other idle or disorderly persons at the charge of the Hundred, as by the Iustices of Peace warrants shall be sent vnto the houses of correction in the same Countie, that then they shall forfeit such further fines, paines, and penalties, as by the said Iustices of Peace, or the most part of them, shall be thought fit and convenient, not exceeding the sum of forty shillings for euery offence. 7. Jac. 4.

Generall priue searches shall be made in euery hundred, town, &c.

The Constables accompt of vagabonds apprehended.

19 And for that it is convenient that the Masters or Governours of the said houses of correction, should haue some fit allowance and maintenance for their care and trauell to be had in the said seruice, as also for the relieving of such as shall happen to be weake and sicke in their custodie, and that the Subjects of this realm

The Governours allowed for his paines and maintenance.

Vagabonds, Rogues, &c.

Should in no sort be overcharged to raise by money for stockes to set such on worke as shall bee committed to their custodie. The Gaolers or Governours of the said houses of correction, shall haue such summe of money yearly, as shall be thought mete, by the most part of the Iustices of Peace within the said Countie at the quarter Sessions of the peace, the same to bee paid quarterly before hand by the Treasurers, appointed by one Act made in the thre and fortieth yeare of the late Quene Elizabeth, intituled, an Act for the reliefe of the poore, during the time they the said Gaolers or Governours shall bee employed in the said seruice, (the said Gaoler or Governour giving sufficient suretie, for the continuance and performance of the said seruice) which if the said Treasurer shall neglect or refuse to performe, That then the said Gaoler or Governour of the house of correction, shall haue authoritie by this present Act, to leuie the same, or so much thereof as shall bee unpaid, vpon the said Treasurers accompt, in such manner and forme, as by the said Statute they the said Treasurers are appointed and authorized, to leuie the weekly summe or payment owing to them unpaid. 7. Iacobi 4.

The punish-
ment of lewde
women which
haue bastards

20 And because great charge ariseth vpon many places within this Realme, by reason of bastardie, besides the great dishonour of almightie God, euerie lewde woman which after this present Session of Parliament, shall haue any bastard which may be chargeable to the Parish, the Iustices of Peace shall commit such lewde woman vnto the house of correction there to be punished and set on worke during the terme of one whole yeare: And if shee shall offend againe, That then to be committed to the said house of correction as aforesaid, and there to remaine vntil she can put in good sureties for her good behaviour not to offend againe. 7. Iac. 4.

A remedie for
them that run
away & leaue
their children
to the charge
of the parish.

21 And so: that many wilfull people, finding that they hauing children, haue some hope to haue reliefe from the parish wherein they dwell, and being able to labour, and thereby to relieue themselves and their families, doe neuertheless runne away out of their parishes, and leaue their families vpon the parish: For remedie whereof all such persons so running away, shall be taken and daunted to be incorrigible Rogues, and indure the paines of incorrigible Rogues: And if either such man or woman being able to worke and shall threaten to run away, and leaue their families as aforesaid, the same being proued by two sufficient witnesses vpon othe before two Iustices of Peace of that diuision, That then the said person so threatening, shall by the said Iustices of peace be sent to the houses of correction (vnlesse he or she can put in sufficient sureties for the discharge of the parish) there to be delt with and detained as a sturdy and wandering Rogue, and to be delivered at the said assemblie or meeting, or at the quarter Sessions, & not otherwise. 7. Iac. 4.

The gouern-
ours shall giue
accompt to the
Iustices of al
persons com-
mitted to their
custodie.

22 And because there shall be the more care taken by all such masters of the houses of correction, that when the countrie hath bin at trouble and charge, to bring all such disorderly persons as aforesaid to their safe keeping, that then they shall performe their duties in that behalfe, Be it therefore enacted by the authoritie aforesaid, that if they shall not euery quarter Sessions, yeild a true and lawfull accompt vnto the Iustice of peace, of all such persons as haue bin committed to their custodie: Or if the said persons committed to their custodie, or any of them, shall be trouble some vnto the Countrie, by going abroad, or otherwise shall escape away from the said house of correction, before they shall be from thence lawfully deliuered, That then the said Iustices shall set down such fines & penalties vpon the said masters and gouernours as the more part of them in their quarter sessions shall thinke fit & convenient, and all fines & penalties not herein before limited shall be paid vnto the treasurer, and accompted for by the Treasurer aforesaid: This Act to haue continuance for the space of seven yeares, and from thence to the end of the next Session of Parlia-
ment

ment after the said seven yeares. 7. Jacobi 4.

1 What act done by any seruant shall procure him to be punished as a Vagabond. S. Labourers 8.

2 A Souldier or Mariner taken forging or counterfeiting a Certificat, shall bee adiudged a Vagabond. S. Capitaines 23.

View.

View shall not be graunted, but in case where the View is necessarie: As if one lose land by default, and he that loseth, bringeth a writ to demand the same land: And in case where one by an exception dilatorie, abateh a writ after the view, as by Pontenere, or misnaming of the Towne, or such like, if he purchase an other writ, in this case, and in the case before mentioned, the View shall not be graunted, if he had view in the first writs. In a writ of Dowry, where the demand is of land that the husband aliened to the tenant, or his auncestors, where the tenant ought not to be ignorant what land the husband did alien to him or his auncestors, though the husband died not seised, yet view shall not be graunted. In a writ of Entree also that is abated, because the demandant misnamed the entree, if he purchase an other writ of Entree, if the tenant had view in the first writ, he shall not haue it in the second. In all writs also where lands be demanded by reason of a Demise made by the demandant or his auncestors, unto the tenant, and not to his auncestors, as that he demised to him being withyn age, not whole of mind, being in prison, and such like, view shall not be graunted: But if the demise were made to his auncestors, the view shall lie as it hath done before. West. 2. 13. Ed. 1. 48.

In what cases View is grantable, and in what not.

Villenage and Villaines.

Villenage may be pleaded, and a Villaine may be seised by his Lord, though the villaine hath a writ of Libertate probanda hanging. 25. Ed. 3. 18. Upon their Lords request, speciall Commissions shall bee graunted to the Iustices of Peace, or other sufficient persons to inquire of Villaines, which do vse themselves rebelliously, and will not be iustified by their Lords. And also of their counsellors and maintainers, which Commissioners shall haue power, to heare and determine the same, and to imprison the offenders. 1. R. 2. 6.

Commissions to inquire of misdemeanors of Villaines.

2 Though any mans Villaine doe sue into any Citie, Towne, or place infranchised, and doe saue any suit against his Lord, to the intent by that meanes to become free, yet the Lord shall not be barred of his Villaine, because of his answere in Law. 2. R. 2. 2.

Villaines suing their Lords.

3 No writ shall be abated by an exception of cognisance of Villenage, if the demandant will auerre, that he which alledgeth the exception was free the day of the writ purchased. 37. Ed. 3. 17.

Cognisance of Villenage

Viſuall, Viſualers.

Euerie man that bringeth Victuals, whatsoever they be, to the Citie of London, by land, or by water, may freely sell the same to whom it shall please him, without being interrupted or impeached by any Fisher, Butcher, Pulter, or any other whatsoever. And the Mayor and Aldermen of the said Citie may rule and redresse the defaults of Fishers, Butchers, and Pulters, as they doe of those which sell Bread, Ale, or Wine. 31. E. 3. 10. 7. R. 2. 11. S. Merchants 1.

Victuals brought to London.

2 All foereins and Aliens being in friendship with the King and the Realme,

E c c c y

and

Viduals, Victualers.

Shens bring-
ing in victual,
may sell them
in grosse, or
by r. taile.

and coming within the Citie of London, & other Cities, Boroughes, & Townes within the Realme, aswell within Liberties, as without, with Fish and all other Viduals, and their carrying and returning againe to their owne Countries, shalbe vnder the Kings safeguard, and speciall protection. And it shall be lawfull to them, and euerie of them, to cut their fish and victuals in pices, and in part, by retaile, or in grosse, as it shall seeme best vnto them to sell the same, and make their profite thereof, without the hinderance or contradiction of any man. 6.R.2.10. 1.H.4. 17. And if any man disturbe any Forreine, or Alien, to sell their fish in grosse, or by retaile, in part, or in the whole, contrarie to the foresaid ordinance, and is thereof attainted at the King, or the parties suit, he shall forfeit xl.s. And he that will sue for the King, or for himselfe, shall haue the one halfe, and the King the other. And he that will sue for the King or himselfe, for any offence committed within the Citie of London, contrarie to the foresaid Statute, may sue in what Countie hee will of the Countie of Middlesexe, Hertford, Essex, Kent, Surrey, or in the Citie of London. 14.H.6.6 S. Merchants 1.

The price of
viduals assign-
ed by the
Just of P.

3 Victualers shall haue reasonable gaine, and no moze, according to the limitation and discretion of the Iustices of Peace, vpon paine to be grieuously punished at the discretion of the same Iustices, where no paine is limited in certaine. 13. R. ch. 2.8.

Viduals shall
be sold at rea-
sonable prices

4 Butchers, Fishmongers, Hosslers, Brewers, Bakers, Pulvers, and all other Sellers of all manner of Viduals, shall be bound to sell the same viduals for a reasonable price, hauing respect to the price that such vidual is sold at in the places adjoining, so that the Sellers haue a moderate gaine, and not excessive, reasonably to be required, according to the distance of the place from whence the said viduals be carried: And if any sell such viduals in any other manner, and thereof be conuict, he shall pay the double value of the same, that he so received, to the partie damnified, or in default of him, to any other that will pursue in his behalfe. And the Sheriues, and Bailiues of Cities, Boroughes, Merchant Townes, and the Ports of the Sea, and other places, haue power to enquire of all and singular which shall in any thing offend the same, and to leuie the said paine to the vse of them at whose suit such offenders shall bee conuict. And in case the same Sheriues and Bailiues be negligent in doing execution of the premises, and thereof be conuict before the Kings Iustices, then the same Sheriues and Bailiues shall be compelled by the same Iustices, to pay the treble of the thing so sold, to the partie damnified, or to any other in default of him that will pursue, and also shall be grieuously punished by the King. 23. E. 3. 6. And no person other then such Sheriues, Bailiues, or Coroner, before rehearsed, hauing franchise, and surueying of viduals, and correction of the same, or other intituled by point of Charter, shall by colour of any Letters Patents, vse any office of surueying, or correcting of Victualers within any Cities, Boroughes, or other places, vpon paine of forfeiture for euerie default to the King, and Informer xl.s. to be recovered by Action of debt, wherein no wager of Law, C. P. 4. 1. Ed. 4. 8.

Sheriues &
Coroners of
vidualers.

The prices of
viduals assign-
ed by the
Concellors
and Officers.

5 Upon enerie complaint made of any enhauning of prices of Cheese, Butter, Capons, Hens, Chickens, and other viduals necessarie for mens sustenance, without cause reasonable, in any part of the Kings Dominions, the Lord Chauncelloz, the Lord Treasuroz, the Lord President of the Kings Cuncell, the Lord Priuie Seale, the Lord Steward, the Lord Chamberlaine, and all other Lords of the Kings Cuncell, the Treasuroz and Comptroller of the Kings house, the Chauncelloz of the Duchie of Lancaster, the Kings Iustices of either Bench, the Chauncelloz, Chamberlaines, Under Treasuroz, & the Barons of the Kings Exchequer, or seven of them at the least, whereof the Lord Chauncelloz, the Lord Treasuroz, the Lord President of the Kings Cuncell, or the Lord Priuie Seale, to bee one, haue power

power from time to time, as the case shall require, to set & take reasonable prices of all such kinds of victuals above specified, how they shall be sold in grosse, or by retails, for relief of the R. Subjects, and after such prices set & taken in forme aforesaid, Proclamation shall be made in the R. name, under the great Seale, of the said prices, in such part of this Realme, as shall be convenient for the same. 15. H.8.2.

6 All freeholders, Owners, Burgers, and all other Victualers, keeping any of the kinds of victuals aforesaid rehearsed, to the intent to sell, shall sell the same to such the R. Subjects, as will buy them, at such prices as shall be set by the said Proclamation, upon the paines to be limited in the said Proclamation to be forfeited, and leuied to the Kings Use, in such wise as by the same Proclamation shall be declared. 25. H.8.2.

7 This Act shall not be hurtfull to Sheriffs, Bailiffs, or other Officers of Cities, Boroughs, and Townes corporate, nor to any persons, or bodies politike, having authoritie to set prices of such Victuals, or of any of them, but they & either of them, may set prices thereof, as if this Act had neuer been made. 25. H.8.2.

8 No person or persons (vntlesse it be by licence vnder the R. great Seale) shall carrie or conuey, or cause to be carried or conueyed, any Cozne, Beanes, Peasens, Meales, Pozkes, Butter, Capons, Hens, Chickens, or other Victuals necessarie for mens sustentance, to any the parts beyond the Sea (except onely for victualing of Mariners, & Merchants of Ships, passing the Seas: And also except barrellled Butter & Cheale to be carried to the parties of Ireland, as hath been accustomed) upon paine of forfeiting of the value of the thing carried, contrarie to this Act, to the King and I. &c. to be recovered by A. I. &c. wherein no W. C. P. &c. 25. H.8.2. For the transporting of Cozne. S. Corne 1.2.6.7.

9 No Officer in a Cite or Borough, which by reason of his office ought to keepe the Masse of Wines & Victuals, so long as he shall be in office, shall sell wine or victuals in grosse, or by retails, upon paine to forfeit the thing sold to the R. whereof the third part shall be deliuered to him that sued the offender. 12. E.2.6. But whensoever any Victualer is chosen to beare any office within any Cite, Borough, or Towne corporate, which for the time that he shall be in such office, should haue the assessement and correction for selling of victuals, then two discret & honest persons of the same Cite, Borough, &c. neither of them being a Victualer, shall be chosen by the Comminaltie of the same Cite, Borough, &c. in like forme as the said Officer shall be chosen: Which two persons with the said Officer shall be sworn truly to selle and set the prices and assises of victuall there for the time that any such victualer shall abide in the said office: And then it shall bee lawfull to euery of the said Officers, after the same victuals be set and assised by the same officer, and the said two persons, or one of them (the other being absent) to merchant & sell wines, and all other victuals in grosse, and at retails, during the time he shall be in any such office, without any thing thereto forfeyt: The foresaid Statute of 12. E.2. or any other statute notwithstanding. An. 3. H.8.8.

10 But this Act shall not extend to discharge any minister of the Cities of London, Pozke, and Couentrie, nor none of them, for any Wine or Victuall to be sold by any retails within any of the said Cities. 3. H.8.8. S.6. R.2.9.

1 A remedie against Conspiracies made by victualers for selling their victuall. S. Artificers 1.2. Corporations 7.

2 That no victualer shall be a taker for the K. carriage. S. Purueiors 12.

3 When, and in what cases Corne and other Victuall may be transported, and when not. S. Corne.

4 It is Felonie to conuey any victuals provided for the victualing of Souldiers. S. Armour 3.

They which haue victuals to sell, must sel them at the price taxed.

Head-officers of corporat Townes may set prices of victuals.

No victuals shall be transported without licence.

How the prices of victuals shall be assessed when a victualer is chiefe officer.

London. Pozke. Couentrie.

Voucher, and Counterplea of Voucher.

Voucher, and Counterplea of Voucher.

Tenant im-
pleaded, vou-
cher, the vou-
cher denieth
the warrantie

Vhen any demandeth Land against an other, and the partie that is im-
pleaded voucheth to warrantie, and the Voucher denieth his warrantie,
in this case, like as the tenant should lose the land in demand, in case where he
vouched, & the Voucher could discharge himselfe of the warrantie: In the same wise
shall the Voucher lose, in case where he denieth his warrantie, and it be found and
tried against him, that he is bound to warrantie. And if an Enquest be depending
betwene the Tenant and the Voucher, & the demandant doth desire a writ to cause
the Iurie to appeare, it shalbe granted vnto him. West. 2. 13. Ed. 1. 6.

Counter-
pleading of
voucher.

3 In a writ of Mortdaucesler, of Collinage, of Aiel, Nuper obijt, of Introssion,
and other like writs, whereby lands or tenements are demanded which ought to
descend, reuert, remaine, or escheat, by the death of any auncesto, or other wise, if
the Tenant vouch to warrantie, and the demandant counterpleadeth him, and
will auerre by Aulse, and by the Countrie, or other wise, as the Court will stward,
that the Tenant, or his auncesto (whose heire he is) was the first that entred af-
ter the death of him whose seisin he demandeth, the auerrement of the demandant
shall be receiued, if the tenant will abide thereupon, and if not, he shall be further
compelled to another answer. And in a writ of Right if the tenant vouch to war-
rantie, and the demandant will counterplead him, and be ready to auerre by the
Countrie, that he that is vouched, nor his auncesto, had neuer seisin of the land
or tenement demanded, for or seruice by the hands of the Tenant, or his aun-
cesto, since the time of him of whose seisin the demandant declareth, untill the
time that the writ was purchased, and the plea moued, whereby he might haue
infeoffed the tenant, or his auncesto, then shall the auerrement of the demandant
be receiued, if the tenant will abide thereupon, and if not, the tenant shall be fur-
ther compelled to an other answer. West. 1. 3. E. 1. 39. And whatsoeuer tenant
do vouch, and the demandant will auerre in forme aforesaid, his auerrement shall
be admitted, whether the partie vouched be absent or present, without any respect
had thereunto. An. 2. 0. E. 1. Stat. de vocatis ad warrantum.

Voucher in
writs of Entre

3 In all writs of Entre, which make mention of degrees, none shall vouch out
of the Line, or in other writs of Entre, where no mention is made of degrees,
which writs shall not be maintained but in cases where the other writs of degree
cannot lie, nor hold place. An. 3. E. 1. 39.

Warrantia
chartæ.

4 If percase the Tenant hath a deed that compriseth warrantie of an other man
which is bound in none of the cases aforesaid, to warrantie of an elder degree, his
recouerie shall be saued vnto him by a writ of Warrantia chartæ out of the Chancery,
when he will purchase it, but the plea shall not be delayed therefore. West. 1.
3. E. 1. 39.

Voucher of
a dead man.

5 If the Tenant will vouch to warrantie a dead man, and the demandants
will auerre that the voucher is dead, or that there is none such, their auerrement
shall be receiued without moze delay. 14. E. 3. 18.

One implea-
ded in London
both voucher &
foyreine.

6 If one being impleaded in the Citie of London, doe vouch a foyreine to war-
rantie, the Mayor, and the Bailiffs, shall aduourne the parties befoze the Iustices of
the Bench at a certaine day, and shall send their record thither, and the Iustices
shall cause the warranto to be summoned befoze them, & shall trie the warrantie.
And the Mayor and the Bailiffs shall surcease in the meane time in the matter
that dependeth befoze them by writ, untill such time as the warrantie be determi-
ned befoze the Iustices of the Bench: And when the matter shall be determined,
commandement shall be giuen to the voucher to depart vnto the Citie, and to an-
swere vnto the first plea, and the demandant at his suit shall haue a writ from the
Iustices

Iustices of the Bench, unto the Shaior and Bailifes, that they shall proceed in the plea: And if the demandant recover, the tenant shall come to the Iustices of the Bench, and haue a writ to the Shaior and Bailifes, that in case the Tenant haue lost his land, they shall cause it to bee extented, and returne the same extent unto the Bench at a certaine day, and after it shall be commanded to the Shire of the Shire where the warrant was summoned, that he shall cause the Tenant to haue of the lands of the warrantor to the like value. And if it sortane that the Tenant make default, at the day that is assigned him in the Bench, then shall there go forth a writ from the Just. of the Bench, to the Shaior and Bailifes to seise the land demanded into the h. hands by Petre Cape, and to summon the Tenant, that he bee at the Wulings at a certaine day, whereat the Iustices shall bee advised to gine Judgement vpon the same default, if he cannot saue it: And if he can saue it, then the Just. shall be certified thereof by their recozd, and by the same recozd they shall plead the warrantie. Gloucester. 6.E. 1. r. 12. An 9.E. 1. Articul. Stat. Gloucester.

7. None being vouched to warrantie before the Just. in plea of land or tenement shall be amerced, because he was not present when he was vouched to warrantie, except the first day of the coming of the same Iustices. But if he that is vouched to warrantie be within the County, the Shire shall be commanded that he shall cause him to appeare within the third or fourth day, according to the distance of the places, as the Just. in Shire haue vsed to do. And if he doe remaine out of the Countie, then he shall haue a reasonable summons of xv. daies at the least, according to the Just. discretion, and the Common Law. Marlb. 52.H. 3. 26.

1 Where the Feoffor may be vouched, by reason of these words, *Dedi & Concessi* in his deed. S. Warrantie.

Day giuen to him that is vouched.

Vpholsters.

NO person shall make, to the intent to sell, or offer to be sold, any featherbed, bolster, or pillow, except the same be stuffed with drie pulled fethers, or cleane Downes onely, without mingling of scalded fethers, sen downe, thistle downe, sand, lime, grauell, vnlawfully or corrupt stuffe, haire, or any other, vpon paine of forf. of all such featherbeds, bolsters, & pillowes, and euery of them so offered to be sold, or the value thereof, to the King and J. to be recovered by A. J. &c. wherein no W. &c. P. &c. 11.H. 7. 19. 5.Ed. 6. 23.

2. No person shall make, to the intent to sell, or offer, or put to sale, any Quilt, pateresse, or Cushions, which shall be stuffed with any other stuffe then fethers, woll or flockes alone, vpon paine of forf. of all and euery such Quilts, pateresses, or Cushions, so sold, or offered to be sold, or the value thereof, to the King and J. to be recovered by A. J. &c. wherein no W. &c. P. &c. 11.Hen. 7. 19. 5.Ed. 6. 23.

what stuffe shall be put in featherbeds, bolsters, pillowes.

what stuffe shall be put in quilts, pateresses, cushions.

Vses.

WHERE any person or persons, be, or shall be seised, of, and in any manors, lands, tenements, rents, seruices, reuerfions, remainders, or other hereditament's, to the vse, confidence, or trust of any other person or persons, or of any bodie politike, by reason of any bargain, sale, feoffment, fine, reconuetie, couenant, contract, agreement, will, or otherwise, by any meanes whatsoeuer: In euery such case, euery such person and bodie politike, that haue, or shall haue any such vse, confidence, or trust, in fee simple, for taile, for terme of life, yeeres, or otherwise, or any vse, confidence, or trust, in remainder, or reuerfion, shall stand & be adiudged in lawfull seisin, estate, and possession, of, and in the same lands, &c. & hereditaments with

The estate in possession conuoyed to him that hath the vse.

Uses. Vfurie.

with their appurtenances, to all intents, of, & in such like estates, as they had, or shall have in use, trust, or confidence, of, or in the same. And the estate, title, right, and possession that was in them that were, or shall be seised of any lands, tenements, or hereditaments, to the use, confidence, or trust of any other, shall be adjudged to be in him, or them, that have, or shall have such use &c. after such manner and condition, as they had before, in or to the use &c. that was in them. 27.H.8.10.

Assurance made to divers to the use of one of them.

2 Where divers persons be, or shall be jointly seised of and in any lands, tenements, rents, reversiones, remainders, or other hereditaments, to the use, confidence, or trust of any of them, that he so jointly seised, then he or they which have or shall have any such use &c. shall have only to him or them such estate, possession & seisin, of, and in the same lands, or other hereditaments in like manner, condition and course, as he or they had before in the use of the same lands &c. 27.H.8.10.

Saving of their mens right.

3 Saving to all and singular persons, and bodies politike, their heirs and successors (other then those which be or shall be seised of any lands, &c. to any use) all such right, title, entre, interest, possession, rents, and actions, as they, or any of them had, or might have had before the making of this act: And also saving to all and singular those persons, and to their heirs, which be, or shall be seised to any use, all such former rights, titles, interest, possession, rents, customs, services, & actions, as any of them might have had to his owne use, in or to any manors, lands, tenements, rents, or hereditaments, whereof they be or shall be seised to any other use, as if this act had never been made. 27.H.8.10.

Land assured to the use that rent should be paid out of the same.

4 Where divers persons be seised of, and in any lands, tenements, or hereditaments, in fee simple, or other wise, to the use or intent, that some other person or persons shall have yearly to him or them, and to his or their heirs one annuall rent out of the same lands &c. and some other, one other annuall rent to him and his assigns for terme of life, yeares, or for some other speciall time, according to such use as hath bene heretofore declared: In everie such case the same persons, their heirs and assigns that have such use, and interest to have any such annuall rents out of such lands, &c. shall be adjudged to be in possession of the same rent, of and in such like estate, as they had in the title, interest, or use of the said rent, or profit, and as if a sufficient grant, or lawfull conveyance, had been made and executed to them by such as were or shall be seised to the use of any such rent: And all such person and persons, as have, or hereafter shall have any title, use, and interest, in or to any such rent or profit, shall lawfully distraine for nonpayment of the same rent, and in their owne names make aucowries, or by their bailiffs, or servants, make cognizances and iustifications, and have all other suits, entries, and remedies for the rents, as if the same rents had bene actually and really granted to them with sufficient clauses of distress, reventrie, or otherwise according to such conditions, paines, or other things appointed upon the trust and intent for payment, or suretie of such rent. 27.H.8.10. V. Dier fol. 362.

Vfurie.

Selling of wares & buying them againe.

Now person or persons, of what estate or degree soener he or they be, shall by himselfe, fact or attorney, servant, or deputie, sell his merchandizes or wares, to any person or persons, and within thre moneths next after by himselfe, fact or attorney, deputie, or by any other to his use, buy the same merchandizes or wares, or any parcell thereof, upon a lesser price, knowing them to be the same, that he before did so bargain or sell, upon the paines and forfeitures hereafter limited in this statute. 37.H.8.9.

2 No person or persons of what estate &c. by way of any corrupt bargain, lene, exchange, chousance, shift, interest of any wares, merchandizes, or other things what,

whatsoever, or by any other corrupt or deceitfull way, or meane, or by any couin, engine or deceitfull way of conueyance, shall haue, receiue, or take lucre or gaines, for the forbearing or giuing day of payment of one whole yeare, or, and for his money or other thing, that shall be due for the same wares, merchandises, or other things aboute x.l. in the C. and so after the rate and not aboue, of, & for a more or lesse summe, or for longer or shorter time, & no more greater gain or summe thereupon to be had: vpon the paines and forfeitures hereafter limited &c. 37.H.8.9.

No man shall take aboue x. l. for the forbearing of C. l. for one yeare.

3 If any person or persons do bargain & sell, or lay to mortgage by any waies, or meanes, any manors, lands, tenements, or hereditaments to any other vpon condition of payment or nonpayment of any summe or summes of money to be made at any day certaine, or before any such day, by him that shall so bargain, sell, or lay to mortgage the same lands, &c. the same person or persons to whom any such lands, &c. shall be so bargained, sold, or laid to mortgage, shall not by reason thereof, haue, ne take in lucre, or gaines of the issues, reuenues, & profits of the same lands, &c. aboute x.l. in the C. for one whole yeare, and so after the rate abovesaid, for a more or lesse summe, or for a longer or shorter time, and no more, or otherwise, vpon the paines and forfeitures hereafter limited. 37.H.8.9.

None shall take aboue x. l. for the forbearing of C. l. for a yeare vpon sale or mortgage of lands.

4 If any person or persons shall do any act, or thing, contrary to the tenor, force, and effect of this stat. or any clause, article, or sentence contained in the same, then all and euery offendor and offendors therein, or in any part thereof, shall forfeit for euery such offence the treble value of the wares, merchandises, and other thing or things so bargained, sold, changed, or shifted, and the treble value of the issues and profits of the said lands, tenements, and hereditaments, so taken, had, or receiued by reason of any such bargain, sale, or mortgage, to the King and I. to be recovered by A. I. &c. wherein no W. C. p. &c. And also that suffer imprisonment of his body, and make fine and ranome at the Kings pleasure. 37.H.8.9.

The forf. of the offendors in the premises.

5 But this Act shall not extend to any lawfull Obligation, endorced with a condition, nor to any Statute or Recognizance made for the payment of a lesse summe, so that the same be made for a true, iust, and a perfect debt, or for the performance of any other true covenants made betwene the parties, other then in cases of vsurie, interest, corrupt bargaines, shifts, or cheuifance: & yett shall extend to any recouerie, fine, scokement, release, confirmation, or grant made vpon condition with a true intent, other then to such as shall be made vpon condition, extending to vsurie, interest, corrupt bargaines, shifts, or cheuifance: Any thing in this act contained, or any other statute &c. 37.H.8.9.

To these bonds and assurances the Stat. extendeth not.

6 All bonds, contracts, and assurances collaterall, or other, to be made for payment of any principall, or money to be lent, or covenant to be performed, vpon, or for any vsurie, in lending or doing of any thing against the said act of 37.H.8. vpon or by which loane, or doing, there shall be reserved or taken aboue the rate of x.l. for the C. for one yeare, shall be utterly void, and the same statute of 37.H.8. shall be most largely & strongly construed for the repressing of vsurie, & against all persons that shall offend against the true meaning of the said statute, by any way or deuise directly, or indirectly. 13.Eliz.8. 39.Eliz.18.

All assurances whereby aboue x.l. in the C. l. shall be reserved are void.

7 All Brokers, Solicitors, and ouiers of bargaines, for contracts, or other doings against the said Statute 37.H.8. whereupon shall be reserved or taken more then after the rate of x.l. for the loane of C.l. for a yeare, shall be to all intents iudged, punished, and vsed as counsellors, attornies, or aduocates, in any case of Præmunire. An. 13.El.8. 39.El.18.

Brokers, solicitors, & ouiers of bargaines.

8 All vsurie, loane, and forbearing of money, or giuing daies for forbearing of money, by way of loane, cheuifance, shifts, sale of wares, contract, or other doings whatsoeuer, for gain, mentioned in the said Statute of 37.H.8. whereupon is not reserved or taken, or covenanted to be reserved, paid, or giuen to the lender, contractor, or onely.

He that taketh x.l. or lesse in the C. shall forfeit the interest contract, or onely.

Usurie.

Wager of Law.

Wales.

contractor, thister, forbearer, or deliverer, above the summe of x. pounds for the loane, or for bearing of 100. l. for one yeare, or after the rate, for a more or lesser sum or time, shall be punished in some following, viz. euerie such offender against this byaunch of this present Statute, shall forfeit so much as shall be reserved by way of Usurie above the principall, for any money so to be lent, or forborne: all such forfeitures to be recovered and imploied, as is limited for forfeitures by the said former Statute of 37. H. 8. And euerie person offending in vsurie, thists, or cheuisance against this Act, and not taking but onely after the rate of x. l. in the C. or vnder for a yeare, shall be onely punished by the paines and forfeitures provided by this act against such as shall not take above the rate of x. l. in the C. for a yeare, and not otherwise. 13. El. 8. 39. El. 18. S. Iust of peace 91.

Punishment
by the ecclesi-
asticall law.

9 If any person shall offend contrarie to the said stat. of 37. H. 8. then he shall and may also be punished, according to the Ecclesiasticall lawes heretofore made against Usurie. 13. El. 8. 39. El. 18.

Diphanes.

10 This Statute doth not extend vnto any allowances for the finding of Diphanes; according to the auncient customes of the Citie of London, or any other Citie, where like order is for the custody of Diphanes & their goods, as in the said Citie. 13. El. 8. 39. El. 18.

Wager of Law.

He that wa-
geth his law,
must bring
others to
swear with
him.
I can may
swage his law
against L. do-
ners papers.

No Bailiffe shall put any many in his open law, nor to his othe, vpon his own bare report, without lawfull witnesses brought in for the same. Mag. Chart. 9. H. 3. 28.

2 If any person be grieved or attached by his bodie in London by any of the same Citie, surmising the defendant to be his debtor, & that he will proue by his papers, hauing neither dard nor taile, in this case the defendant shall be receiued to his law, by people of his owne condition against such papers, & the creditor shall take suretie by some other way, if he will, without putting the partie to plead to an enquest, if he will not of his owne good will. 38. Ed. 3. 5.

wager of law
in debt vpon
the arrerages
of account.

3 In an action of debt brought vpon the arrerages of account, the Iustices of the Kings Court and other Iustices before whom such suites and actions shall bee in cities and boroughes sued and taken, haue power to examine the Attornyes, and other whom it please them, and thereupon to receiue the defendants to their law, or to trie the matter by enquest, according to the discretion of the same Iustices and Judges. 5. H. 4. 8.

Wales.

wales annex-
ed to England

The Kings countrey or dominion of Wales shall stand and continue for ever incoorporated, vnited, & annexed, to and with this realm of England: & all and singular person and persons bozne & to be bozne in the said principallitie, countrie, or dominion of Wales, shall haue, enioy & inherit all & singular freedoms, liberties, rights, priuiledges, and lawes, within this realme, and other the R. dominions, as other the R. subjects naturally bozne within the same, haue, enioy, and inherit, and the lawes, ordinances, and stat. of this realme of England for ever, and none other shalbe had, vsed, practised, and executed in the said countrey or dominion of Wales, and euery part thereof, in like maner, forme, and order, as they be and shalbe in this realme, and in such like maner and forme as hereafter shall bee further established and ordained. 27. H. 8. 26.

English lawes
vsed in wales

wales divided
into shires
and hundredes

2 The R. dominion, principallitie, and countrey of Wales is deuided into xij. shires, of the which 8. haue borne shires of long and auncient time, viz. Glamorgan,

gan, Carmarthen, Pembroke, Cardigan, Flint, Carnaruan, Anglesey, and Perioneth: And 4. were newly ordeined by the Stat. of 27. H. 8. 26. viz. Radnor, Brecknock, Pountgomerie, & Denbigh, ouer and beside the shire of Pountguth, and diuers other Dominions, Lordships, and Panoys in the marches of Wales, vnited & annexed to the Shires of Salop, Hereford, and Gloucester, and ouer and besides the towne of Hauerford west, which is a countie in it selfe. And the limitations of hundreds made within the said shires by vertue of the Commissions of R. H. 8. directed out of his court of chancerie, & againe returned into the same, shall stand in full strength and force, according to the said limitation, except such of the same, as sith that time hath been altered by vertue of any Act of Parliament. 27. H. 8. 26. 24. H. 8.

3 There shall be and remaine a President and Cunsell in the said dominion and Principallitie of Wales, & the Marches of the same, with all officers, clerkes & incidents to the same, in maner & forme as hath bene heretofore vsed, which President and Cunsell shall haue authoritie to heare & determine by their discretions, such causes & matters as be or hereafter shall be assigned to them by the R. &c. as heretofore hath bin vsed. 24. H. 8.

4 There shall be kept Sessions twice in euerie yeare in euerie of the said shires, in the said dominion and principallitie of Wales, the which Sessions shall be called the R. great Sessions in Wales. The Iustice of Chester for the time being shall hold and keepe Sessions twice in euerie yeare in the Shires of Denbigh, Flint, and Pountgomerie, and haue nothing but his old se of C. P. yerely for the same. The Iustices of Northwales shall in likewise hold & keepe Sessions twice euerie yeate, in euerie of the shires of Carnaruan, Perioneth, & Anglesey, and shall haue of the King a yerely se of 50. l. for the same. One person learned in the Lawes of this Realme of England, by the King to be appointed, shall be Iustice of the Shires of Radnor, Brecknock, & Glamoigan, and shall in likewise hold and keepe Sessions twice in euerie yeare, in euerie of the same shires, & shall haue yerely of the King 50. l. for his se. One other person learned in the Lawes of this realme, to be appointed, as is aforesaid, shall be Iustice of the shire of Carmarthen, Pembroke, and Cardigan, and of the Towne & Countie of Hauerford west, & shall in likewise hold & keepe Sessions twice in euerie yeare, in euerie of the same shires, and shall also haue yerely of the R. 50. l. for his se. The said persons, or Iustices, and euerie of them, shall haue severall letters patents & commissions for their offices, vnder the R. great seale of England, to be exercised by themselves, or their sufficient deputies, according to the purposes and intents in their ordinances specified. 24. H. 8.

5 The Quene, her heires, & successors, may and shall at her or their pleasure constitute or appoint two or more learned, as is aforesaid, in the lawes of this realme to be Iustices of and for the said Counties of Chester, Flint, Denbigh, & Pountgomerie, and two or more learned &c. to be Iustices of Northwales, viz. of and for the said shires of Anglesey, Carnaruan, & Perioneth. And likewise two or more learned &c. to be Iustices of & for the said circuit & shires of Radnor, Glamoigan, and Brecknoche, and also two or more learned &c. to be Iustices of and for the said circuit & shires of Cardigan, Carmarthen, and Pembroke, and the towne & countie of Hauerford west, any Law, Statute, &c. notwithstanding. And her Heire, she, her heires and successors may and shall at her and their pleasure from time to time associate and graunt Commission and Commissions of association or associations, vnder the great Seale of England, to any person or persons learned, as aforesaid, to be associate to or with euerie, or any severall Iustice or Iustices for the time being, of the said severall circuits and counties aforesaid, or in any of the said Counties. 18. Eliz. 7.

President and
Cunsell.

Sessions twice
in the yeare.

Denbigh.
Flint.
Pountgomerie
Carnaruan.
Perioneth.
Anglesey.

Radnor.
Brecknock.
Glamoigan.

Carmarthen.
Pembroke.
Cardigan.
Hauerford.
The Iustices
commissions
vnder the
great seale.

The Q. may
appoint two
Iustices for
euery circuit,
or grant asso-
ciation.

Of what
things Justices
may hold
plee.

6 Euerie of the said Justices within the limits of their commissions and authorities to them appointed, as is aforesaid, shall hold all manner of ples of the Crowne, at and in the said Sessions, in as large and ample manner, as the D. u. chiefe Justice of England, and other the Quenes Justices of the Kings Bench there, or any of them may doe in their places, or elswhere, within the Realme of England. And also shall hold ples of Assises, and all other ples and actions real, personall, and mixt, in as large and ample maner, as the D. u. chiefe Justice of the Common Ples of England, and other Just. of the same Ples, or any of them may do in the Realme of England. And euerie of the said Justices of Wales shall haue authoritie to inquire of all Treasons, Murders, Felonies, Riots, routs, unlawfull assemblies, extorsions, imbraceries, maintenance, retainers, concealments, contempts, and all other offences and euill doings, of what natures, names, or qualities soeuer they be, done, committed, or perpetrated within the limits of their commissions and authorities, against the forme of the common Law of the realme of England, or of any Stat. of the same, and to heare and determine the premises, and euerie of them, and generally to minister common Justice to all and singular the D. u. subjects, within the limits of their commissions and authorities, according to the lawes, statutes, and customes of the realme of England, & according to this present ordinance of 34. H. 8. And all and euerie such two Justices or more, to be appointed by the Queen, her heires and successors (according to the statute made 18. Eliz.) within euerie of the said seuerall circuits and counties, And also euerie such Justice or Justices together with such person or persons associate, (if any such association or associations shall happen to be as aforesaid) during such association, and after such association ended, or without such association, such Justice or Justices shall haue the like power and iurisdiction, to all intents & effects, as any one Justice within any of the said circuits or shires aforesaid, now hath, or at any time heretofore had or ought to haue. And also shall haue like power and iurisdiction to keepe and hold the seuerall Sessions aforesaid twice in euerie yeare in euerie of the said shires, within their seuerall circuits aforesaid, and to heare, determine, order, award, adiudge, receive, take knowledge of, and execute, all and singular causes, matters, ples of assises, treasons, murders, felonies, indictments, appeales of murder, felonie, and maimes, actions reals, personals, and mixt, suits, plaints, informations, quarrels, attainits, conspiracies, Quare impedit, and all actions grounded vpon any Statute or Statutes, writs, proces, returns, essoines, verdicts, iudgements, fines, acknowledgements, confessions, warrants, and executions, actions, and ads whatsoeuer, and to do, performe, obserue, accomplish, and make all and euerie other act and ads, matter and matters, thing and things whatsoeuer, in like, and in as ample, beneficiall, lawfull and effectuall manner and forme, to all constructions, qualities, intents, and purposes, as any of the now seuerall Justices, or any one of the now Justice or Justices within the same seuerall circuit or circuits, and Counties aforesaid, may, ought, hath, or might lawfully doe by force of any Law, Usage, or Statute, heretofore had, made, or vsed before the making of this Act. And all and singular writs, proces, returns, essoines, verdicts, iudgements, fines, recoveries, recognisances, acknowledgements, confessions, act and ads, thing and things, matter and matters, as aforesaid, had, made, taken, done, returned, heard, determined, awarded, adiudged, or executed, by or before any such two Justices, or more, or any such Justice or Justices, and associate or associates, as aforesaid, to be appointed, nominated, authorized, or constituted, as aforesaid, shall be allowed, taken, confirmed, expounded, & adiudged, as good, effectuall, & available, to all intents, constructions, and purposes, as if the same had bin had, made, taken, done, returned, heard, determined, awarded, adiudged, or executed, by, or before any such one Justice, or one of the

the Justices, now, or late being Justice or Justices of the same circuit, or severall circuits aforesaid: Any Law, Usage, Statute, &c. notwithstanding. 18. Eliz. 7.

7. Querie of the said Sessions shall be kept and continued by the space of sixe dayes in euery of the said Shires, at either of the said times, as is and hath been used within the said thre Shires of Northwales. And the said Just. shall cause open proclamations to be made in the Shire Townes, what time and place they purpose to keepe their said Sessions, sixtine dayes at the least befoze they keepe the same, to the intent the Kings subjects may haue knowledge thereof. 34. Hen. 8.

8. Dates shall be given in all ples, plaints, proces, and adioynements, from day to day, and Sessions to Sessions, by the discretion of the said Justices within the limits of their authorities, for the good & speedy ministracion of Justice, to all and singular the Kings subjects, as is and hath been used in Northwales. And the issues taken befoze the said Justices in ples personall, which cannot be tried befoze them in time of their great Sessions, for breuitie of time shall and may be tried at a pettie Sessions, befoze the Deputie Justices there, as is and hath bin used in the 3. Shires of Northwales (except such of the said suits, as by the discretion of the said Justices shall be thought necessarie, to be tried befoze themselves, within their limits.) 34. H. 8.

9. The King shall haue all fines, issues, amerciaments, and all forfeitures of recognisances lost, or forfeited, befoze any of the said Justices in the Sessions aforesaid. And the Proenotaries within the limits of their offices, shall yearly ex-treat the same into the Erchequer appointed for their limit, to the intent that pro-cer from thence may be awarded to the Sherifes, to leuie the same to the Kings use, as appertaineth, which Sherifes shall yearly make their accounts befoze the Kings Auditors thereunto assigned. 34. H. 8.

10. One originall Seale deuised by the King for Justice to be ministrad in the said thre Shires of Northwales, viz. the Shire of Perioneth, Carnaruan, and Anglesey, shall be and remaine in the charge & custodie of the Chamberlaine of Northwales. And one other originall Seale &c. for the said Shires of Carmarthen, Pembroke, and Cardigan, shall be and remaine in the charge and keeping of the Chamberlaine of Southwales. And likewise one other originall Seale &c. for the said thre Shires of Brecknocke, Radnor, and Glamorgan, shall be and remaine in the charge and custodie of the Steward and Chamberlaine of Brecknocke. And also one other originall Seale &c. for the said Shires of Denbigh and Pountgome-rie, shall be and remaine in the charge and custodie of the Steward and Chamberlaine of Denbigh. And the originall Seale of Chester, shall be and stand for the originall Seale of Flint, for Justice to be ministrad in the said Shire of Flint, and shall be and remaine in the charge, keeping & custodie of the Chamberlaine of Chester. 34. H. 8.

11. The said Stewards and Chamberlaines shall seale with the said Seales, that is to say, euery one of them shall seale with the Seale to his charge committed, all manner of originall writs and processe, returnable befoze the said Justices, at the Sessions to be holden in euery of the said Shires, in manner and forme, as is aforesaid. And shall severally account and answere to the King for the profits of the same Seale. And none of the said Stewards, Chamberlaines, or Chancel-lors, hauing the charge and keeping of the said seales, shall by occasion thereof, or by colour of any of their offices, compell, or cause any person inhabiting within any of the said vi. Shires, to appeare befoze themselves, or their deputies: He shall haue power to heare or determine any ples of the Crowne, nor other causes or matters of Justice, otherwise then in this ordinance is limited: But shall haue the charge and keeping of the said seales, to seale all originall writs and processe,

Wales.

as shall be reasonable before the said Justices in their said Sessions, as is above specified, and as hereafter shall be declared, which writs & proces shall be used, made, sealed, and returned in manner and forme, as hath been used before the Justices in Northwales. 34.H.8.

Proces as
gainst ac-
comptants.

12 All such persons as be or shall be the Kings Stewards, Chamberlaines, or Chancellors within any of the said shires, which by reason of their said offices, have charge for the receipt, collection, or account, of, and for the Kings rents revenues, farms, or profits, to be due to his Maestie within the said dominion of Wales, may direct proces under the said Seale, being in their charge and custodie, within the limits of their authorities, onely against Bailiffs, Knights, Farmers, and other Ministers accomptant, to appeare before themselves, to answer to, and for any the Kings revenues, farms, rents, or profits, and for none other causes, nor against any other person or persons, in like manner, as they have been accustomed in that case to do. 34.H.8.

4. Judiciall
Seales.

13 Besides the said Originall Seales, there shall be 4. Judiciall Seales, devised by the King, whereof one shall remaine with the Justice of Chester, which is appointed to be Justice of Flint, Denbigh, and Pountgomery, to be used within the said shires, to seale all Judiciall proces, and Bills that shall be sued before the said Justices, in the Sessions to be holden within the same shires. And one other of the said Judiciall seales, shall likewise remaine and be in the charge and custodie of the said Justice of Northwales. And the third of the said Seales shall be & remaine in the custodie and charge of the Justice of the three shires of Glamorgan, Brecknocke, and Radnor. And the fourth of the said Seales shall remaine in the charge & custodie of the Justice of the said three shires of Pembroke, Carmarthen, and Cardigan. And the said Justices shall seale with the said Judiciall Seales, viz. every of them with the Seale committed to his charge and custodie, as well all bills, as all other Judiciall proces, that shall be sued before them in the said Sessions upon any originall bills or writs. And all other proces that shall be awarded from any of the said Justices, shall be sealed with the said Judiciall Seale. 34.H.8.

What shall be
sealed with
the Judiciall
seales.

Justices ac-
compt for the
profits of the
seales.

14 Every of the said Justices shall accompt & answer to the King for the profits of the said Seale, being in his charge and custodie, in manner and forme as hereafter shall be declared. 34.H.8.

Teste of Judi-
ciall proces.

15 The Teste of every Bill and Judiciall proces, that shall passe under the said Judiciall Seale, shall be under the name of such of the said Justices, from whom such Bill or Judiciall proces shall passe, in like manner and forme, as is used in the Common Places in England. 34.H.8.

Writs sealed
with the Ori-
ginall seale.

16 All Actions real & mist, Attaints, Conspiracies, Assises, & Quare impedit, Appeals of Murder, and Felonie, and all actions grounded upon any Statutes, shall be sued by Originall writs, to be obtained and sealed with the said Originall Seale, returnable before the said Justices at their Sessions, within the limits of their authorities, in manner and forme, as is before mentioned. 34.H.8.

Personall ac-
tions of xl. s.
or above.

17 All manner of personall Actions, as debts, detinue, trespass, accompt, and such like, amounting to the summe of xl. shillings, or above, shall be sued by writs originall, to be obtained and sealed, as is aforesaid, or by Bills at the pleasure of the partie suing the same before the said Justices, within the limits of their authorities, as is used in Northwales. 34.H.8.

Personall ac-
tions under
xl. s.

18 All personall Actions, under the summe of xl. s. viz. debt, trespass, detinue, accompt, and such like, shall and may be sued before any of the said Justices in the said Sessions by Bill, as is used in Northwales: (But there shall no suit be taken before any of the said Justices, by Bill, under xx. s.) And every Originall Bill concerning actions personals, shall be sealed with the Kings Judiciall Seale, being in the custodie of the said Justice, before whom such personall actions by bill shall be

No suit be-
fore Justices
under xx. s.

be brought and commenced. 34. H. 8.

19 Such fines shall be paid for the writing and sealing of such Original writs and bills, as hereafter shall be expressed, viz. for the sealing of every original writ to be sued, in, and upon the causes aforesaid, and for every Bill to be pursued in actions personals, whereof the debt and damages amounteth to the summe of xl. s. or above, the parties pursuing the same, shall pay for the sealing of every such writ or bill, vi. s. and for every Judiciall proces to be sued upon any such writ or bill, the parties pursuing such Judiciall proces, shall pay for the sealing thereof vi. s. whereof the King shall have vi. s. And the Justice sealing such Judiciall proces shall have i. s. And every Bill in personall actions whereof the debt, dutie, or damage amounteth not to xl. s. And all manner Judiciall proces to be sued upon the same, shall also be sealed with the Kings said Judiciall seale, and the parties pursuing the same, shall pay for the seals of every such bill, and Judiciall proces thereupon to be sued iii. s. whereof the King shall have ii. s. and the Justice sealing such proces, shall have i. s. 34. H. 8.

For the writ
ring & sealing
of original
writs & bills.

20 All writs of Scire facias, and writs of good Abearing, or for the Peace, or writs of Superedeas upon the same, & all other proces to be sued from the said Justices, upon any Record or suggestion admitted by any of the said Justices within the limits of their authorities, shall also be sealed with the said Judiciall seale, and the parties pursuing for the same, shall pay for the seale of every such writ and proces vi. s. whereof the King shall have vi. s. and the Justice by whom such proces shall be sealed one peny. And every Exemplification upon any Record before any of the said Justices, shall be sealed with the Kings Judiciall seale, and the parties pursuing the same, shall pay for the seale thereof ii. s. whereof the King shall have i. s. and the Justices sealing the same ii. s. 34. H. 8.

Proces sealed
with the Ju-
diciall seale,
and the fees.

Exemplifica-
tion.

21 Recoveries, and fines, Concoyds, and warrants of Atturney for the same, shall and may be taken before every of the said Justices, of lands, tenements, and hereditaments, within his authority, by force of his generall Commission, without any writ of Dedimus potestatem to be sued for them, in like manner & forme, as is used to be taken before the Kings chiefe Justice of his Common Place in England. And all fines levied before any of the said Justices, with proclamation made in the same Sessions, that the said fine shall be ingrossed, and two other great Sessions then next to be holden within the same Countrey, shall be of the same force and strength to all purposes, as fines levied with proclamation be of, that be levied before the Justices of the Common Place in England. 34. H. 8.

Recoveries,
fines.

22 Every person suing writs of Entre in the Post, or writs of Covenant, or any other writs for any recovery to be had by assent of parties, or otherwise, or for any fine to be levied, shall pay such fines to the Kings use for the same, as well fines Pro licentia concordandi, as all other manner of fines, as is used in the Kings Chauncerie, or elsewhere in any of the Kings Courts of England: Which fines shall be paid to such persons as shall seale the Original writs for that purpose, and they shall account for the same, in like forme, as they shall do for the profits of the said Original seale, as is aforesaid. 34. H. 8.

Fines for
writs of En-
tre, and Co-
venant.

23 The Kings Silver upon every fine to be levied, shall be paid as is used in the Common Place of England, viz. y. s. which Kings Silver shall be paid to the Justice before whom such fine shall be levied, whereof the King shall have ii. s. and the Penotarie entring the same shall have y. s. and the Justice before whom such fine shall be levied other y. s. and the same Justice shall account for the Kings part thereof, like as he shall for the profits of the Kings Judiciall seale committed to his charge, in manner and forme as is aforesaid. 34. H. 8.

Kings Sil-
ver.

24 All Errors and Judgements before any of the said Justices at any time of Error.

Do d d y

the

Wales.

The great Sessions, in pleas reales, or mirt, shall be redressed by writ of Error to be sued out of the kings Chanceries of Enland, returnable before the kings Justices of his Bench in England, as other writs of Error be in England. And all Errors in pleas personals shall be redressed by Bills, to be sued before the said President & Councell of Wales, from time to time, as the partie grieved will sue for the same. And if in case the Judgement be affirmed good in any of the said writs of Error, or Bills, then there to make execution, and all other Procces thereupon, as is used in the R. Bench in England, & the pursuants in everie such writ of Error, or bill, shall pay like fees therof, as is used in England. 34. H. 8.

Falsc Judgement.

25 No execution of any Judgement to be given in any base Court shall be stayed or deferred, by reason of any writ of Falsc judgement, but execution shall and may be had & made, at all times before the reuerfall of the said Judgement, the pursuit of the said writ notwithstanding. And in case the said Judgement happen after to be reuerfed, then the partie pursuant shall be restozed to all that he hath lost, by the said Judgement, according to the Lawes of this Realm. 34. H. 8.

weighty causes.

26 All Procces for weight and weightie causes, shall be made and directed into Wales, by the speciall commaundement of the Chauncelloz of England for the time being, or any of the kings Councell in England, as hath been used: Any thing in this Act &c. notwithstanding. 34. H. 8.

Procurators.

27 There shall be foure Procurators for the making of all Iudiciall procces, and for the entring of all Pleas, Procces, and matters of Record in the Sessions, to be holden before the said Justices, whereof one of the said Procurators shall attend upon the said Justice appointed for the thre Shires of South Wales. And one other shall attend upon the Justice assigned for the thre Shires of Flint, Denbigh, and Pountomerie. And the third shall attend upon the Justice assigned for the thre Shires of Carmarthen, Cardigan, and Pembroke. And the fourth of the said Procurators shall attend upon the Justice assigned for the thre Shires of Glamorgan, Brecknocke, and Radnor. And these foure Procurators, as often as their said offices shall be void, shall be named and appointed by the R. by Letters patents, under his great Seale of England. 34. H. 8.

Procurators fees.

28 Everie of the said Procurators within the limits of their offices, shall take such fees, as hereafter be expressed, viz. for the writing of Pleas, and ingrossing of writs of Entre in the Post, writs of Right, Quod ei de forceat, or any writs pursued by the assent of the parties, v. s. and if it be with a double Woucher, then vs. s. viij. s. and for the exemplification thereof y. s. and for the ingrossing of fines, to haue for everie fine iij. s. iiij. s. and if it be with proclamations, then iiij. s. Item for everie Bill of debt, Detinue, Trespas, and all other actions personals sued before the said Justices in their circuits under the summe of xl. s. the Procurators shall haue for the first bill iij. s. for the second bill iiij. s. and for the third bill iiij. s. And for the entrie of everie Declaration, Plea in barre, Replication, and Rejoinder, in, and upon everie such actions, so that he doe inroll the same in parchment iiij. s. And for everie Venire facias, Tales, Habeas corpora, Distring. in the same actions iij. s. and for the Judgement iij. s. and for everie writ of Execution, in everie such action vs. s. and for everie warrant of Attorney in everie such action, aswell for the plaintifes, as for the defendants, iiij. s. Item in all actions of detinue, trespass, and all other actions personall, wherein the dutie, debt, or damage amounteth to the summe of xl. s. or above, which shall be sued by bills before the said Justices, the Procurator shall haue for the first bill iij. s. for the second bill iiij. s. and for the third bill iiij. s. And for everie Declaration, Answer, Replication, and Rejoinder, if it be to be inrolled in parchment viij. s. and for the Venire facias, Tales, Habeas corpora, and Distring. for everie of them vs. s. for the Judgement viij. s. and for the warrant of Attorney iiij. s. and for everie writ of Execution

tion vpon the iudgement in such bills vs. d. Item in Originall writs sued vpon euery action personall, returnable before the said Iustices, the Irenotaries shall haue for euery Iterum summoñ vs. d. for euery Distres in trespass vs. d. and for the Declaration viij. d. for the answer, replication and reioinder, for euery of them, if they be inrolled and ingrossed, as is abovesaid, xij. d. for the Venire facias, Tales, Habeas corpora, and Distring. for euery of them vs. d. and the Irenotaries shall haue for the entrie of the Iudgements in euery such action xij. d. and for euery writ of Execution sued vpon the same vs. d. and for the exemplification of euery record in any of the said actions y. s. for euery warrant of Atturney liij. d. In all actions reals and mist, Assises, Quare impedit, Appeales of felonies, Murder, or Whithen, the Irenotarie to haue for the declaration or plaint y. s. and for the plea in barre, replication, reioinder, surreioinder, for euery of them, if they be inrolled as is aforesaid, xij. d. and for the writing of euery Venire facias, Tales, Habeas corpora, and Distring vpon the same, for euery of them vs. d. and for the entrie of the iudgement in euery of the said actions and appeales y. s. and for the writing of the writs of execution made vpon euery of the said actions, appeales, and Assises, xij. d. and for writs of Graund Cape, and Petit Cape, and writs of Writ, writs vpon Woucher, and all other writs, in euery such action or actions, xij. d. and for euery warranty of Atturney for the defendants, or for the demandants, or plaintifes, in euery such action reall, assise, appeal, & Quare impedit, liij. d. And for the Essoines in euery such action liij. d. and for the adiournement y. d. and for the baile of euery person of felony xij. d. and for the baile for trespass vs. d. and for the apparance and bayling of common mainprise ij. d. Item for writing of writs for the Peace and good Abearing, graunted by any of the said Iustices in their Sessions vs. d. and for the entring of euery Recognisance, to bee had and taken before the sayd Iustices, for euery cause or causes, other then before is expessed, xij. d. and if it bee with condition, then ij. s. and vpon euery acquittall and deliuerance of felons or Murderers by verdict, or by allowance of pardon, the Irenotaries shall haue ij. s. and if it be vpon Indictments certified from the Iustices of peace, before the Iustices of the great Sessions, the Clerke of the peace shall haue also xij. d. and vpon deliuerie of any suspect of felony or murder by proclamation, the said Irenotary shall haue xij. d. 34. H. 8.

29 There shall be a Sparshall and a Crier in euery of the circuits and limits allotted to the said Iustices, which shall be named by the said Iustices within the limits of their authority and commission, in like maner and forme, as Iustices of Assise do in England: and the sayd Officers shall attend vpon the sayd Iustices in their circuits in their owne proper persons, and not by their deputies, and the Sparshall shall haue vpon euery Iudgement, and vpon euery Fine liij. d. and the Crier s. d. and vpon the acquittals of felons, and of them that shall be deliuered by proclamation, or deliuered out of common mainprise, before any of the said Iustices, the Sparshall shall haue liij. d. and the Crier a peny. 34. H. 8.

30 Ouer and besides the said President, and the Councell, and Iustices, there shall be Iustices of Peace and Quorum, and one Custos Rotulorum, in euery of the said Counties. And the said Iustices of Peace, Iustices of Quorum, and Custos Rotulorum, in the said Shires, shall be named & appointed by the Chancelor of England, by Commission vnder the great Seale of England, by the aduise of the President, Councell, and Iustices aforesaid, or thre of them, of the which the said President to be one, from time to time, as the case shall require. And there shall not exceed the number of viij. Iustices of the Peace, in any of the said Shires, ower and besides the President, Councell, and Iustices aforesaid, and the Kings Attourney, and Soliciter: Which President, Councell, Iustices, and the Kings Attourney, and Soliciter shall be put in euery Commission of peace,

Wales

in euerie of the said xv. Shires. 34. H. 8.

What persons
may be Justices
of Peace.

Their oaths.

Quarter
Sessions.

Fees of the
Justices, and
Clerkes of
the peace.

Certificat of
Recognisance

Assessment of
fines, & amercia-
ments.

Fines, forfei-
tures, & amercia-
ments ex-
treated.

Justices and
Clerkes fees.

Sherifes.

31 Such persons as shall be named to be Justices of Peace within euerie of the said Shires, shall be of good name and fame, and after they be assigned by Commission, may use and exercise the office of the Justice of Peace, albeit they may not dispend xx. l. nor be learned in the Lawes of the land, without any losses, damage, or penalties, for insufficiencie of their lands. And euerie of the said Justices of peace, before they shall execute the Commission; shall take their Oathes before the Chauncelloz of England, or else before the said President; or one of the said Justices in Wales, by vertue of the Kings writ of Dedimus potestatem, or before any other person to be limited by the Lord Chauncelloz of England for that purpose, the contents of which oath shall be after the forme, as Justices of peace in England use to make. 34. H. 8. S. Justices of peace 4.

32 The said Justices of Peace, or two of them at the least, whereof one to be of the Quorum, shall and may keepe their Sessions within the limits of their commissions four times in the yeare, and at other times upon vrgent causes, as Justices of peace in England use to doe, and shall haue like power & authoritie in all things, and fees of the King for the time of their sitting, as well for themselves, as for their Clerkes, and shall be bound to use, and to do their offices, in like maner as is used in England. 34. H. 8. S. Justices of peace 3. 46.

33 As Justices of peace, Clerkes of the Peace, nor other Clerke of any Justices of Peace in Wales, shall take for the writing of any warrant of the Peace, or good abearing, above six pence, and for the entering of pledges or Bailables to pay the Kings fine upon any Indictment nine pence, and if it be with protestation, then to take twelve pence, for a Superfedeas not above eight pence, and for a Recognisance twelve pence. 34. H. 8.

34 All the said Justices of peace shall certifie all Recognisances taken before any of them for the peace, or good abearing, into their Sessions next to be holden after the taking thereof. And Recognisance taken before any of them for suspicions of any manner of Felonie, shall be certified before the Justices in the great Sessions next to be holden after the taking thereof, without concealment, detaining, or imbezilling of the same, upon such penalties and dangers, as be therfore ordained and established. 34. H. 8. S. Justices of peace 106. 107.

35 All fines and amerciements before the said Justices of peace to be lost, shall be taxed and assessed by two Justices of peace at the least, whereof one to be of the Quorum, and all such fines and amerciements shall be set truly and duly, according to the quantitie of the offences, without parcialitie or affection. And the said fines and amerciements, and also all issues lost before the said Justices of Peace, and all forfeitures of Recognisances, and other forfeitures before the same Justices, shall be yearly extreated by the Clerks of the peace into the Exchequer, appointed for that limit, to the intent that pzocees may from thence be awarded for the leuying of the same forfeiture and summes of money to the Kings use, to the Sherife of euerie Countie, as shall appertaine, who shall make thereof their accounts before such Auditors, as thereunto shall be assigned, so that the King may thereof be truly and truly answered and satisfied, which Auditors shall make due allowance to the same Sherifes for the fees of the Justices and Clerkes of the Peace upon their said accompts, as is used in England. 34. H. 8. S. Justices of Peace 7.

36 There shall be Sherifes in euerie of the said Shires yerely appointed by the King, and none of the said Sherifes shall haue their office of Sherifetwicke any longer time then is used by the Lawes and Statutes of England: And for the yerely nomination of the said Sherifes, the said Lord President, Councill, and Justices of Wales, or thre of them at the least, whereof the said President to

- be one, shall yearly nominate three substantiall persons in euery of the said xij. Shires, to be Shierifes of the same, and shal certifie their names to the Lozds of the Kings Counsell; attending vpon his Graces person, Craffino Animarum, to the intent the King being thereof aduertised, may appoint one of them in euery of the said Shires, to bee Shierife for the yeare after, at his pleasure, like as his Highnesse doth for his Realme of England, and thereupon the said Shierifes shall haue their Patents and Commissions vnder the great seale of England, as Shierifes of England haue: And shall make and take othes, and knowledges of Recognisance, before the President & Iustices, or one of them, by vertue of the Kings writ of Dedimus potestatem, to be attented for the same, for the due execution of their Offices, and for the full and true accompt, before the Kings Auditoz or Auditoz assigned for Wales. 34. H. 8. Their Patents.
37. Euery of the said Shierifes shall haue full authoritie within the limits of their Shierifdomes, to do and see their offices as Shierifes in England, & shall accomplish and execute without any fauour, dread, or corruption, all maner of writs, proses, indgements, & executions, and all common Iustice appertaining to their Offices of Shierifes, and all lawfull commaundements and precepts of the said President, Counsell, and Iustices of Wales, & also of the Iustices of the Peace, Escheatoz, and Coroners, and euery of them, in all things appertaining, to their offices & authoritie. And the said Shierifes shall do; & be bound to do all and euery other thing and things for the maintenance of Iustice, and for the conseruation of the Kings Peace, and the apprehension and repress of Traitors, Murderers, Thieues, Felons, and other bad men, as Shierifes of England do vse, and be bound to do with in the Realme of England. 34. H. 8. The Shierifs authoritie.
38. The said Shierifes shall yearly accompt before such the Kings Auditoz or Auditoz, as shall be assigned by the King for his said Dominion of Wales. And euery of the said Shierifes shall haue yearly for his seru. li. 34. H. 8. Shierifs accompt before Auditoz.
39. Euery of the said Shierifes shall haue a Gaole for prisoners within some conuenient place of the Castle of the Shire Towne where hee is Shierife, or in such other conuenient place, as by the said President, Counsell, and Iustices, or thye of them (whereof the said President to be one) shall be appointed. 34. H. 8. The Shierifs Gaoles.
40. The Shierifes Countiees, or Shire Courts of the Countie of Bercknocke, shall bee holden at Bercknocke: of Radnor: at Plew Radnor and Weston: of Pountgomery, at Pountgomery and Paghemeleth: of Denbigh, at Denbigh and Wrexham: of Pountmouth, at Pountmouth and Prewpost, Alternis vicibus. 37. H. 8. 26. Countie courts.
41. The Shierifes shall keepe their Countiees monethly, and their hundred Courts for pleas vnder rls. as is vsed in England, and shall take for the entring of plaints, proses, pleas, & indgements, in the said Shire Courts, and Hundreds, such small fees, as are vsed to be taken in Shires and Hundreds in England and not aboue. 34. H. 8. Countie Courts kept monethly.
42. All trials before them in their said Courts, or before any so towards in court Barons, shalbe by iuger of law, or verdict of vi. men, at the pleasure of the party plaintiffe or defendant that pleadeth the plea. 34. H. 8. Trials before Shierifs, or Stewards.
43. Euery of the said Shierifes shall keepe and hold their Turnes yearely after Easter, and Michaelmas, as they haue bin vsed in England. And the King shall haue all forfeitures, fines, issues, & amerciaments, forfeited in any of the said countiees, and Hundreds, Courts, and Turnes, to his owne vse, and the Shierifes shall accompt for the same accordingly. And the Escheats of the said Turnes, Countiees, and Hundreds, shall be viewed, and the fines, issues, and amerciaments, assessed by the Iustices of Assises of that circuit, before the leuying of the same amerciaments, or other forfeitures: and no Shierife, or any of his officers shall presume to

Execution
upon a iudge-
ment in the
chancery court.

Shirifes
etc.

Suspect per-
sons put un-
der mainprise.

The Shir-
ifes for
the mainprise.

to gather, or lewie any such amerciament, or other forfeiture, before the said Es-
treat be so afforred, upon paine to forfeit to the Kings use xl. s. 34. H. 8.

44 The Sherife upon everie Judgement had before him in his Countie, or
hundred Court, in any plaint under xl. s. shall, and may award a Capias ad faci-
faciendum, to arrest the partie condemned, or else a Fieri facias, at the libertie of
the pursuant. 34. H. 8.

45 All Bills sued before the said Justices in personall actions, whereof the debt,
dutie, or damage is under xl. s. the Sherife shall have for the returne of everie bill
ij. d. And for everie Venire facias, Tales, Habeas corpora, and Distringas, ij. d. and
for writs of execution upon the judgement in any such bill xij. d. And in bills sued
before the said Justices in actions personals, above the summe of xl. s. the Sherife
shall have for the returne of every such bill iij. d. And for the returne of everie Ve-
nire facias, Habeas corpora, Distringas, and Tales, iij. d. and for everie writ of exe-
cution ij. s. And in all personal actions sued by originall writs returnable before the
said Justices, the Sherife shall have for everie Iterum summon, Distring. and Ali-
as distringas, iij. d. and for everie Venire facias, Habeas corpora, Distringas, & Ta-
les, vij. d. and for everie writ of execution to be executed upon the judgement in any
such actions ij. s. for the serving of everie writ of Elegit, vi. s. vij. d. And in all real
actions or mist, pursued before the said Justices, by originall writ, for returne of
everie originall writ ij. s. and for returne of everie other writ and iudiciall proces de-
pending upon the same before judgement, ij. s. & for everie writ of execution after
judgement upon everie originall, in actions real, or mist, ij. s. & for serving of every
writ of Habere facias seisinam, vij. s. viij. d. And for Attachments upon Capias, or
other proces sued before the said Justices by originall or iudiciall writ, if he returne
Cepi corpus, ij. s. & for a Redditi se upon an Exigent of felony, in appeal of Mur-
der, or Paine, or upon any indictment of Felonie or Murder, ij. s. & upon a Red-
diti se upon an Exigent of debt, trespass, detinue, & all other actions personals xij. d.
And for the making of Repleg. xij. d. and Withernam upon the same xij. d. For the
returne of everie writ of appeal of Murder, Felonie, or Paine xij. d. And upon all
other proces growen upon the same, as Venire facias, Tales, Habeas corpora, and
Distring. xij. d. And in every action taken before the Sherifes by Justices, for the
summons thereof iij. d. And for everie other proces thereupon iij. d. And for every
pioner delivered by acquittall, or by proclamation for any maner of Felonie xij. d.
34. H. 8.

46 Everie Sherife within the limits of his authoritie, may and shall put such
persons under common mainprise, as they have reasonable cause of suspect, binding
such as they shall so put to common mainprise with two sufficient sureties with
them by Recognisance, to appeare before the Justices within the limits of their au-
thorities, at the next great Sessions to be holden next after the taking of such bands,
and shall certifie the names of them that be bound before the said Justices at the said
Sessions accordingly, without concealment thereof at their pleasure. 34. H. 8.
And the Recognisances of such common mainprise, and sureties of apparance taken
before any of the said Shirifes shall be as good and effectuell, as if it were taken by
any Justices of record. And everie person and persons within the Counties of
Berkeknock, Radnor, Pountgomery, Denbigh, Glamorgan, Carmarthen, Pen-
brooke, & Cardigan, or any of them, put under common mainprise, & bound to his or
their personall apparance, as well by the foresaid Shirifes, as by the Justices of any
of the said Counties, shall keepe their apparance before the said Justices at everie
Sessions within the said Counties, to be holden in such maner and forme, as is u-
sed in the three Shires of Northwales. 37. H. 8. 26.

47 Every person that the Sherife taketh to common mainprise, to appeare be-
fore the said Justices, as is aforesaid, shall pay for his mainprise ij. d. and not above.

And

And the said Sherife shall put no man to common mainprife, but such as be suspect, and as shall be returned by them, before the said Justices at their Sessions, as is aforesaid. 34.H.8.

48 And the said Sherife shall have for the returne of a writ of false indgement out of a bafe Court, before the said Justices y.^s And the said Sherife shall take no manner of fee for the returne of any of the said writs of execution before expressed, unless he returne the same executed. 34.H.8.

The fee for
returne of a
writ of false
indgement.

49 Everie Sherife of the said twelve Counties in Wales, and of the Counties Palatine of Lancaster, Chester, and of the Citie of Chester, shall have in everie of the Courts of the Kings Bench, and Common Pleas, one sufficient deputy at the least, to receive writs directed to such Sherife &c. 1. Ed. 6. 10. S. Exigent. &c. 7.

The Sher-
ifes depu-
ties.

50 The Sherife shall make the Bailifes of Hundreds, and they shall attend upon the Justices in everie of their Courts and Sessions. 34.H.8.

Bailifes of
hundreds.

51 Escheatozs shall be named in everie of the said Shires by the Lord Treasuroz of England, by the advise of the said President, Councell, and Justices, or thre of them at the least, whereof the said President to be one, which Escheatozs shall make and take their oathes, and knowledge their Recognisances before the said President, or one of the said Justices, by vertue of the kings writ of Dedimus potestatem, to be directed for the same, for the due execution of their offices, and for their true account to be made before the kings Auditor, or Auditozs, to be assigned for the same, which othe and recognisance shalbe agreeable to the othe and Recognisance used for the Escheatozs in England. And the Escheatozs shall yearly have their Patents and Commissions under the great Seale of England, & shall have power to exercise their offices, in like maner and forme as Escheatozs in England, and shall be bound to all Lawes and Statutes of England. And all such persons as shall be appointed to the said offices, shall and may exercise their offices, if they may dispend yearly v.^l. of freehold: any Statutes of England to the contrary thereof notwithstanding. And everie of the said Escheatozs shal make their account yearly before such Auditor, or Auditozs, as shall be assigned by the king to heare and determine his account, for his revenues and profits of the said dominion of Wales. 34.H.8.

Escheatozs.

52 There shalbe two Coroners, to be elected in everie of the said twelve Shires, as is used in England, by vertue of the kings writ de Coronatore eligendo, to be awarded out of the kings Chancery of England. And the said Coroners shal have like authoritie to do and exercise their offices, and have like fees as is limited by the lawes and Statutes of England. Provided alwaies that the writ de Coronatore eligendo to chuse the Coroners within the said County of Flint, shalbe directed out of the Exchequer of Chester. 34.H.8.

Coroners.
County of
Flint.

53 The said Justices of Peace, or two of them at the least, whereof one of them to be of the Quorum, shall appoint and name in everie Hundred within the limitis of their commission, two substantiall Gentlemen, or Peomen, to be the chiefe Constables of the Hundred wherein they inhabite, which two Constables of every Hundred shall have speciall regard to the conservation of the kings peace, and shall and may doe and use their offices in all and singular things as is used by the high Constables of the Hundreds in England, and shall be bound to all things as high Constables of the Hundreds in England be bound to. 34.H.8.

Constables of
the Hundred.

54 All Stewards of any Lordships, or manors in Wales shal and may kepe and hold such Letes, Latwaies, and Court Barons, as appertaineth and belongeth to the Lordships and Manors whereof they be Stewards, and hold places, by plaint under the summe of xl. s. in everie such Court Baron, and have and enjoy all other authorities, commodities, and profits, as Stewards of Letes, Latwaies, and Court Barons, shal and may have and enjoy. 34.H.8.

Stewards
of Courts.

Wales.

No Sheriff
or Steward
shall inquire
of Felonie.

daies, and Court Barons in England commonly haue, & be vsed to haue by reason of the said offices, and none other: Any Law, Custome, &c. in the said dominion of Wales notwithstanding. But the the said Stewards, nor any of them, nor the Sherifes of the said Counties in Wales, shall haue any authoritie to enquire of any manner of Felonie in any such Leets, Lawdaies, or Turne, within the said dominion to be holden. And no Leet nor Lawday shall be kept by the Steward or other officer of any Lordship or Manor in the said dominion of Wales, but in such Lordships and places where it was accustomed to be kept, before the making of the Statute of 26. H. 8. so alwaies the place where such Court shall be kept be meet and convenient for that purpose. 34. H. 8.

Head officers
of corporat
Townes.

55 All Mayors, Bailifes, and head Officers of corporate Townes in Wales may hold pless, and determine actions, & do euery other thing concerning common Justice, according to their lawfull graunts and laudable customes of such Towns, so alwaies they follow the course, trade, and fashion of the Lawes and customes of the Realme of England, and not of any Welch Lawes or customes. And in euery of the said Townes they may trie all issues ioyned in any action personall, by vs. according as heretofore in diuers places of the said Countrey it hath been vsed: Any thing in this Act &c. notwithstanding. 34. H. 8.

Tulneger.

56 The Tulneger in Wales, by himselfe, or his sufficient deputie or deputies, shall in all things to his office appertaining doe, and be bound to doe, and answer in euery case like, and according as all and euery Tulneger in England doe or ought to do, according to the Lawes & statutes of the Realme of England. And for the contrarie doing or exercising of the said office, shall in euery case and degree suffer, as by the said Lawes and Statutes is ordained for Tulnegers, vnder the Treasorer of England for the time being. 34. H. 8.

All Courts
&c. kept in the
English tongue.

57 All Justices, Commissioners, Sherifes, Coroners, Escheators, Stewards, and their Lieutenants, and all other Officers and ministers of the Law, shall proclaime and keepe the Sessions, Courts, Hundredes, Leets, Sherifes courts, and all other Courts in the English tongue, and all oaths of officers, Juries, and Enquests, and all other Affidauits, verdicts, and wagers of law shall be given and done in the English tongue. And also no person or persons that vse the Welch speech, or language, shall haue and enioy any manner of office or sers within the Realme of England, Wales, or other the kings dominions, vpon paine of loss of the same offices or sers, vniess he or they vse the speech or language of English. 27. H. 8. 26.

Noble of
Welch speech
by Officers.

Fees rated by
the President
& Councell.

58 In all and euery writs originall or Iudiciall, or other proces, pless, or writings, which be not expressed in this ordinance, the fees thereof aswell for the seales, as writing, shall be rated by the said President, Councell, and Justices or thre of them, whereof the said President to be one, by their discretion from time to time, as the case shall require: And they shall haue full power from time to time to assesse and appoint what fee the said Sherifes, Escheators, and Coroners, and their ministers, Penotaries, and their Clerkes, and other ministers of Justice in the said Shires, shall haue of the kings subiects for any manner writs, plaints, pless, proces, returnes, or any other matter or thing, concerning or belonging to the execution of their offices and rowmes, and to augment or diminish any fee or sers, aboue declared, as shall be thought by their discretions to be convenient and meete for the common wealth of the Kings subiects of those parties of Wales. 34. H. 8.

All officers
obedient to
the President,
Councell, and
Justices.

59 All Mayors, Sherifes, Stewards, Bailifes, and other Ministers and officers of Justice, of euery Countie, Lordship, Towne, and place within the said Dominion of Wales, and all and singular the Kings subiects of the same, shall be alwaies obedient, attendant, and assisting to the said President, Councell, and Justices

Justices of Wales, & enerie of them, and shall obey the kings commandments and p[ro]ces from them, o[ne] any of them directed, and all the lawfull and reasonable p[re]cepts of the said President, Councill, and Justices, and enerie of them. And also shall be obedient to all the said Justices of peace, Sheriffs, and Eschevours, within the limits of their said authorities, as well fo[er] common administration, and due execution of Justice, as in all other things appertaining to their duties & offices. 34.H.8.

60 No person fo[er] Murder o[ne] Felonie shall be put to his fine, but suffer according to the Lawes of the Realme of England, except it please the King to pardon him. And if the said Justices see cause of pitie, o[ne] other consideration, they may rep[re]sent the p[ri]soner, till they have advertised the King of the matter. 34.H.8.

No felon shall be put to his fine.

61 If any Murder o[ne] Felonie be committed within Wales, then the partie to whom any such offence shall be committed, shall in no wise make any end o[ne] agreement with the offender in that behalfe, no[ne] with any other in his name o[ne] behalfe, unless the said partie first make the said President and Councill, o[ne] one of the said Justices privie unto the same, upon paine of imprisonment and grievous fine, to be set and adjudged at the discretion of the said President, Councill, and Justices, o[ne] two of them, whereof the said President to be one. The same paine and penalties to extend as well to & against such as shall labour, move, o[ne] procure any such end o[ne] agreement made (although the same labour, motion, o[ne] procurement never take effect to make any end o[ne] agreement) as against him o[ne] them, with whom such end o[ne] agreement shall be made, if the same happen to take effect. 34.H.8.

No man shall agree with a felon.

62 No person o[ne] persons without lawfull authoritie, shall make any rumors, tumults, unlawfull assemblies, o[ne] outcries, at any of the said Courts o[ne] Sessions, no[ne] any outcries, no[ne] unlawfull assemblies in great numbers, at any other time, except it be fo[er] the apprehension o[ne] pursuing of murderers, o[ne] felons, upon paine of imprisonment, and grievous fine to be taxed and set upon them by the said President and Councill, o[ne] by the Justices, o[ne] other Officer, before whom such misbehaviour shall happen to be committed. 34.H.8. 4.H.4. 27.

Tumults.

63 In case any fo[er]eine plea o[ne] voucher be made before any of the said Justices of Wales, betwene partie & partie, triable in any other shire within Wales, then where the said plea is pleaded, o[ne] voucher made: Then the said Justices before whom the same plea o[ne] voucher shall be pleaded o[ne] made, shall and may send the Kings writ with a transcript of the record, mentioning the same fo[er]eins matter of plea, o[ne] voucher, under the seale to him committed, unto the Justice of the Countie where the same matter shall be triable, commanding the said Justice by vertue of the said writ, to p[ro]ceede to the triall thereof, according to the Kings Lawes and Statutes, which triall so before him had, he shall remaund with the whole Record, unto the Justices before whom the said plea o[ne] voucher was pleaded o[ne] made, who thereupon shall p[ro]ceede to iudgement, as the case shall require. And in case the same fo[er]ein plea, voucher, o[ne] other matter so pleaded, be triable within the realme of England, Then the Justice before whom the same plea o[ne] voucher shall be pleaded, had, o[ne] made, shall and may p[ro]ceede to the triall thereof, as shall appertaine, within the same shire of Wales, where the same old plea, voucher, o[ne] matter was pleaded; the said fo[er]ein plea, voucher, o[ne] any other thing o[ne] matter to the contrary thereof notwithstanding. 34.H.8.

Triall of Voucher fo[er]ein plea.

64 All manors, lands, tenements, messuages, and other hereditaments, and all rights and titles to the same, in any of the shires of Wales, descended to any manner person o[ne] persons, since the feast of the Pativite of S. J. Bap. An[no] 33.H.8. o[ne] that hereafter shall descend, shall be taken, enjoyed, used, and holden as English tenures, to all intents, according to the Common Lawes of this

All lands in Wales shall be English Tenure, and not gavelkind.

Realme

Wales:

Realme of England, and not to be partable among heires of Wales after the custome of Ganelkind, as heretofore in divers parts of Wales hath been used. And the same Law from and after the said feast of Saint John Baptist, in the said 33. yeare shall be used, taken, and exercised in the said County of Denbigh, and in all such Lordships, and other places, as by vertue of the Act made 27. H. 8. 26. or by any other Act or Acts, made or to be made, were and shall be annexed to any of the Shires of Salop, Hereford, Gloucester, or other Shires, any Lawes or customes etc. notwithstanding. 34. H. 8.

Spoylage of lands.

65 As Spoylages of lands, tenements, or hereditaments, made or had, after the said feast of S. John Ba. which was 33. H. 8. or that hereafter shall be had or made, within any of the said Shires or places, shall be allowed otherwiser, then after the course of the Common Lawes & statutes of the Realme of England: any usage, or custome etc. notwithstanding. 34. H. 8.

Alienation of lands after the English manner.

66 It shall be lawfull to all persons, to alien, sell, or otherwise put away their lands, tenements, and hereditaments, within the said Dominion of Wales, the Countie of Denbigh, & other places annexed to any of the Shires in England, from them and their heires to any person or persons in fee simple, or fee taile, for terme of life or for terme of yeares, after the manner, and according as is used by the Lawes of England: any Welch Law or custome heretofore used in the said Dominion of Wales to the contrary thereof notwithstanding. This Article to take effect, from and after the said feast of the nativite of Saint John Bap. Anno 33. H. 8. 34. H. 8.

Inheritors of Wales bound by statute, or recognisance in England.

67 If any person or persons, having lands or tenements within the said Dominion of Wales, shall bee bound within the Realme of England by Obligation, upon the statute of the Staple, or by recognisance, and pay not the debt, as shall appertain: Then upon certifiat thereof made into the Kings Chauncery of England, by the Clerke of the Staple, or by any Justice of record, before whom such Recognisance shall be acknowledged, proces shall be made to the Shireffs of Wales, out of the Chauncery of England, after the forme as is used to bee made upon statutes and Recognisances by the course of the Lawes of England, for due leuying & paying of the said debt. But for such Recognisances as shall be taken and knowledged before the Kings Justices of his Bench, or Common Pleas in England, proces shall be had and pursued immediately out from the said Justices, as is used upon Recognisances taken before the Justices by the common course of the lawes of England. 34. H. 8.

What writs, bills, & proces shall be used.

68 All such writs, bills, plaints, pleas, proces, challenges, and trials shall be used throughout all the Shires aforesaid, before the said Justices in their Sessions, as is used in Northwales, or as shall be devised by the said President, Councill, and Justices, or three of them, whereof the said President to be one, for the good ministration of Justice to be had in every of the said Shires. 34. H. 8.

Five yeares possession.

69 If any person or persons, their auncestors, or they whose estate he or they have, have been in peaceable possession of any lands or tenements in Wales by the space of five yeares, without let, interruption, or lawfull claime: Then the same person or persons shall continue their possession, untill such time as it bee lawfully recovered against them by order of the Kings Lawes, or by decrees of the President and Councill there. 34. H. 8.

What leying the Jurors in each case must dispense.

70 Every person that hath any lands or tenements in fee simple, or fee taile, or for terme of his life, or for terme of any other mans life, being freehold, shall & may passe in all minier Juries trials, as well in case of Felonie or Murder, as in all actions reall, personall, and mixt, and whatsoever they be (Attaint onely except) and also may bee impanelled, and enquire of all concealments, forcible entries, and other causes for inquirie of the King, albeit he may not dispense xl. shillings by yeare

vere: Sauing to euerie man his lawfull challenge for any other cause, according to the lawes of the Realme of England. And no Iuroz shall passe in Attaint, vntlesse he may dispend xl.s. by the vere, of estate of freehold. 34.H.8.

Attaint.

71 S. 5. Eliz. 25. 14. Eliz. 9. Iurors 23. That the demandants and plaintifes, tenants and defendants in Wales, vpon request made to the Iustices of the great Sessions, may haue a Tales de circumstantibus, where a full Iurie shall not appeare, or else after apparance of a full Iurie, where the Iurie is like to remaine vntaken for default of Iuroz by challenge of any of the parties. S. 34. H. 8. That in personall actions taken and pursued before the Iustices in Wales by writ or bill, if nine of the Iurie be swozne to trie the issue, and the residue make default, or be tried out, then the Sherifes shall and may immediately returne other names in the said Iurie De circumstantibus, untill there be xij. men swozne to trie the issue, as before the Iustice of Northwales hath bin vfed.

Tales de circumstantibus.

72 If any goods or chattels be stolen by any person or persons, and sold in any faire or market, within the said Dominion of Wales, no such sale shall change the proprietie thereof from the owner of the same, but he may lawfully seise, take, and haue the same againe, vpon prouide thereof made, the said sale notwithstanding. 34.H.8.

Sale of stolen goods.

73 No person or persons shall bargain or buy any manner of beast, or other quicken cattell in any place within Wales, out of the market or faire, vntlesse hee can bring forth sufficient and credible witnesses of the name of the person, what place, and time he bought the same, vpon paine and danger of such punishment and fine, as shall be set vpon him, by the said President and Councill, or any of the said Iustices in his Circuit, for the said offence, and as he will therfore answer at his further perill. 34.H.8.

No cattell shall be bought out of the market &c.

74 If any goods or cattels be stolen within the limits of any of the said Shires of Wales, then vpon suit thereof had & made, the tract shall be followed from Township to Township, or Lordship to Lordship, according to the Lawes and customes in that behalfe heretofore vfed in Wales, vpon such penaltie and danger, as heretofore hath bin accustomed. 34.H.8.

Pursuit after stolen goods.

75 The King shall haue all felons goods, & goods of persons outlawed, waife, straites, & all other forfeitures and escheats whatsoever they be, answered thereof by the hands of the Sherifes: Sauing alwaies the rights & interestes of euerie of his subjects, hauing lawfull title to haue the same. 34.H.8.

Escheats.

76 This Act of 34.H.8. or any thing therein contained, shall not be prejudicial to any person or persons, or bodies politick, for, or concerning any lands, tenements, rents, seruices, bondmen, tolles, or other hereditaments, but they & euery of them, their heires, successours, and assignes, shall haue and enioy their lands, tenements, &c. in such like manner as they had the same before the making of this Act. 34.Hen.8.

Each persons inheritance saved.

77 All liberties, franchises, & priuiledges of the Duchie of Lancaster, or in any wise appertaining to the same, shall be of the same force, and condition, and may be vfed in as large and ample maner, as they were before the making of this Act: any thing &c. notwithstanding. 34.H.8.

Liberties of the Duchie.

78 All actions reals that shall be commenced or sued for any lands, tenements, or hereditaments, or any other thing within the Countie of Monmouth, and all actions personals within the same Shire, of the summe of xl.s. or above, and all actions mixt shall be sued by originall writ out of the Chauncerie in England, and heard, determined, and tried before the kings Iustices in England by assise, or Nisi prius, within the said countie of Monmouth, in such like maner, forme, and wise, as all other actions reals, personals, and actions mixt be sued, heard, determined, and tried, in, or for any Shire of the Realme of England. 27.H.8. 26.

Actions sued in the countie of Monmouth.

Trial of Nisi prius in the Countie of Ppnmouth.

79 The Kings Iustices of his Bench, or of the Common Bench at Westminister, haue full power to direct all maner proces to the Shirefe, & all other officers of the said Countie of Ppnmouth, and also to direct writs of Venire facias to the same Shirefe, for the trial of issue ioined befoze them, & also to award commissions of Nisi prius into the said Countie of Ppnmouth, for the trial of such issues ioined befoze them, in like manner and forme as they doe into euerie Shire of this Realme of England. 27.H.8.26.

Inhabitants in Ppnmouth obedient to the Law & Magistrate of England.

80 All and euerie of the Kings subiects & inhabitants within the said countie of Ppnmouth, be bound to be obedient and attendant to the Lord Chauncelloz of England, the Kings Iustices, and other the kings most honorable Councell, and vnto all Lawes, customes, ordinances, and Statutes of this Realme of England, in like manner, forme, and wise, as all other the kings subiects within euerie Shire of this Realme of England be bound. 27.H.8.26.

Of what things the Shirefe of Ppnmouth shall hold plea.

81 The Shirefe of the said County shall hold plea of Replegiare, and all other suits & plaints vnder rl. s. in his Countie or Shire Court, in like maner & forme, as all other Shirefes do within this realme of England. 27.H.8.26.

The Shirefe, Coroner, & Escheatoz, & due tie.

82 The Shirefe, Escheatoz, and Coroner that be within the said Countie of Ppnmouth, be bound to execute all the Kings proces, and to make due returns thereof, and to vse and exercise their offices, according to the Lawes and Statutes of this Realme of England, in all and euerie thing, as the Shirefes, Escheatoz, and Coroner be bound to do in all and euerie other Shire of this Realme of England. 27.H.8.26.

The Shirefe & Escheatoz accompt.

83 The Shirefe and Escheatoz of the said Shire of Ppnmouth, that shall be appointed by the King, shall make their accompts for their said offices in the kings Exchequer in England, in like maner and forme, as other Shirefes and Escheatoz do within this Realme of England, and vpon such like paines and penalties, as is vpon other Shirefes & Escheatoz in euerie other Shire within this Realme of England. 27.H.8.26.

Two knights and one burgesse for the parliament for Ppnmouth.

84 For all Parliaments to be holden for this Realme, two knights shall be chosen to the same Parliament for the Shire of Ppnmouth, and one Burgesse for the Bozough of Ppnmouth, in like maner, forme, and order, as other knights and Burgesse of the Parliament be elected in all other Shires of England, and the same knights and Burgesse shall haue like dignitie, prebeminence, and priuiledge, and shall be allowed such fees, as other knights and burgesse of the Parliament haue been allowed. And the knights fees shall be leuied, perceiued, receiued, gathered, and paid, in such maner, forme, and order, as such fees be gathered &c. in other Shires of this Realme of England, and the Burgesse fees shall be leuied aswell within the Bozough of Ppnmouth, as within all other auncient bozoughes within the said Shire of Ppnmouth. 27.H.8.26.

Hauerford well.

85 The Kings high Iustice of the Countie of Pembroke, shall be high Iustice of the Countie and Towne of Hauerford West, and shall haue like authoritie to and for the ministracion of Iustice within the said Countie and Towne of Hauerford West, as is appointed to the said Iustice, to and for the administration of Iustice in the said Countie of Pembroke. And the Mayo, Shirefe, Bailife, and Burgesse of the said Countie and Towne of Hauerford West, from time to time shall be aswell attendant, and obey all precepts and commandements of the President and Councell of the King in his Marches of Wales, and also shall be attendant to all precepts & proces awarded or directed by the said high Iustice vnto the Shirefe of the said Countie & Towne of Hauerford West, and to make returns thereof, and the said Shirefe of the said County and Towne shall serue all precepts and proces directed from the said high Iustice, in like maner and forme, as the Shirefe of the said Countie of Pembroke is bound to do, and according to the effect & purport

port of the R. ordinances in that behalf had, made, and provided. And it shall be lawful unto the said Shaloe, Sherife, Bailife, and Burgesles of the said Countie and Towne of Hawerford West also; said, to use and exercise all lawfull liberties and grants by king H. 8. or his progenitors, to them graunted and confirmed, at the Kings pleasure, according to the Lawes of this Realme of England, and not otherwise. And the Judicial Seale of the said Shires of Pembroke, Carmarthen, and Cardigan, being in the custodie of the R. high Justice there for the time being, shall be used in the said Countie & Towne of Hawerford West, as the original and Judicial seale of the same Towne and Countie. And the said Justice of the said Shires of Pembroke, Carmarthen, and Cardigan, shall have like authoritie by vertue of the R. letters Patents to him made, as well to do everie thing concerning common Justice to be ministered within the said Towne & Countie of Hawerford West, as he hath in his said Letters Patents within any of the said Shires of Pembroke, Carmarthen, and Cardigan. 14. H. 8.

86 These Lordships, Towneships, Parishes, Commotes, & Cantredes here after named, being Lordships Marchers, & sometime lying betwene the Shires of England and Wales: And all Honors, manors, lordships, castles, lands, tenements, and hereditaments, lying, or being within the compasse or precinct of the said lordships, towneships, hamlets, parishes, commotes, and cantredes, & everie of them, in whose possession soever they be, are guildable, & taken as part & member of the Shire of Ponthow, viz. Ponthow the head & Shire Towne of the said Countie, Cheshow, Gatherine, Llanphangall, Pagour, Goldcliffe, Newport, Wenlog, Llauerne, Castellon, Alke, Treleche, Linterne, Skintreth, Croumont, White castle, Keglun, Calicot, Bilton, Abergueny, Penrose, Oranfeld, and Baghen, and Hochuplade. 27. H. 8. 26.

87 These Lordships, Towneships, &c. are guildable, and within the Shire of Radnor, viz. new Radnor, the head and Shire Towne of the said Countie, Clifherman, Cnelles, Boughred, Glasebury, Glawolstre, Pighellis Church, Penleth, Blewagh, Knighton, Boston, Dreston, Cozmorhyder, Kayder, Gwethympton, and Stanage. 27. H. 8. 26.

88 These Lordships, Towneships, &c. are guildable, and within the Shire of Brecknocke, viz. Brecknocke the head and Shire Towne of the said Countie, Crekehowell, Tretowye, Denkelley, English Talgarth, Welch Talgarth, Dynas, the Hay Glynebogh, Biopolles, Cauteceley, Lando, Blainlynby, Cstredow, Bueleth, and Llangoys. 27. H. 8. 26.

89 These Townes are guildable, and within the Shire of Pountgomery, viz. Pountgomery the head & Shire Towne of the said Countie, Bedewenker, Calwifland, Arneffely, Kenillock, Daythur, Powelland, Clunelund, Balesley, Tempcefre, and Alcefre. 27. H. 8. 26.

90 These Townes, &c. are guildable, and within the Shire of Denbigh, viz. Denbigh land the head & Shire Towne of the same County, Ruthin, Saint Asse, Bynllethowen, Bionfeld, Pale, Chirke, and Chirkeland, Golefale, & Hopelale. 27. H. 8. 26.

91 These Towneships, &c. are guildable, and annexed to the County of Salop, viz. Abertannad, Dwestre, Whetington, Pasbroke, A noking, which with their members shall be taken the Hundred of Dwestre, and Elefmer, annexed to the Hundred of Dinhill, and Dolone, and Cherburie, annexed to the Hundred of Cherburie. 27. H. 8. 26. 34. H. 8.

92 These Townships are guildable, & annexed to the County of Hereford, viz. Ewys Lacy, called the Hundred of Ewys Lacy, Ewys Harold, annexed to the Hundred of Webræ, Cliford, Wynfozton, Perdesley, Whitney, and Huntington, called the Hundred of Huntington, Waignaze, Logharnels, the Hun-

Part of the
Marches an-
nexed unto
certaine Shires
in England &
Wales

Ponthow.

Radnor.

Brecknocke.

Pountgo-
mery.

Denbigh.

Salop.

Hereford.

Wales.

- Gloucester.** 93 These Lordships are guildable, & annexed to the County of Gloucester, viz. Mellaston, Llanani, Wechly, & all lands lying betwene Chepstow bridge in the Marches of Wales, & Gloucester Shire, & in 6 hundred of Welebury. 27.H.8.26.
- Glamorgan.** 94 These Lordships are guildable, and annexed to the Countie of Glamorgan, viz. Cewerthilney, Bishops Towne, Landaff, Brynginthe supra, Brynginthe subcus, Piskin, Dymoze, Glynerotheny, Tallagarne, Ruthien, Tallanan, Lantlethian, Lantwide, Tperiall, Auan, Pethe, Landwey, and the Clages. 27.H.8.26.
- Cardiff.** 95 These Townes &c. are guildable, and within the Shire of Carmarthen, viz. Lanemethe, Merie, Abermestesse, Redwely, Ckenning, Coznewolthan, Princtalle, Emlyn, Abergally, and Lantiffan, Wierlois, Langham, parcell of the Hundred of Derleys. 27.H.8.26.
- Pembroke.** 96 These Townes are guildable, and within the Shire of Pembroke, viz. Bilgarran, Lantiffan, Langeharne, otherwile called Tellingharne, Tallowincastle, Drinesland, Llanephabein, Lansry, Penbeth, Diebeiche, Koismarket, Castellan, Londoifoure. 27.H.8.26.
- Cardigan.** 97 These Townes, &c. are guildable, and within the Shire of Cardigan, viz. Tregaron, Cenergin, Landway, Tteny. 27.H.8.26.
- Flint.** 98 These Townes, &c. are guildable, and within the Shire of Flint, viz. Hoppe, Watwarden, Weresford, Wley, & Poldesdale, within the Hundred of Poldesdale, Aflaph, within the Hundred of Rutland. 33.H.8.13.
- Northway.** 99 The Lordships, Townes, and Parishes of Northway, and all lands, tenements, &c. within the compasse of the same, are guildable, and annexed to the Countie of Merioneth in Northwales, as a commote, member, or part of the same. 27.H.8.26.
- Merioneth.** 100 The Towne of Betwoly within the Parish of Wileford in the countie of Wigorne, and all the ground and soyle of the same Towne, is united, annexed, and made parcell of the Countie of Wigorne, & within the Hundred of Wodingtre: And the Inhabitants of the said Towne and Parish shalbe attendant, and do enery thing with the inhabitants of the said Hundred. Saving to the Burgeses and Inhabitants of the said Towne of Betwoly, all such Liberties and franchises, as they lawfully had and exercised in the same Towne, before the making of this Act. 34.H.8.
- Worcester.** 101 All and singular person and persons, dwelling or resiant within Wales, or in the Lordships Marches of the same, at all times upon such mention or warning giuen for the Court to be kept in Wales, or in any of the Lordships Marches, as before time hath bene used, shall personally appeare before the Justice, Steward, Lieutenant, or other Officer, at all & every Sessions, Court & Courts, to be holden before the same Justice, Steward, or other Officer, in any whatsoeuer place within Wales, or within the precinct, limits, and iurisdications of enery of the Lordships Marches, or Seignories aforesaid, or the Marches of the same, as by the said Justice, Steward, or other Officers shall be appointed, and then and there shall giue his & their personall attendance, to do enery thing which to him or them shall appertaine, upon paine of such fines, forfeitures, and amerciaments, as shall be assessed by the Steward, Justice, or other Officer, to the R. vse, if it be within any of the Kings Lordships Marches, and if it be within any other Lordships Marches, then to the vse of the Lord of the said Lordship Marcher for the time being. The said forfeitures and amerciaments to be levied by way of distress, of the goods and chattels of enery person, not appearing at the said court or courts, or not doing his due tie, as is abovesaid. 26.H.8.6.
- 102 If the Steward, Lieutenant, or any other Officer of any Lordship Marcher

Apparance
& attendance
at Courts.

cher in Wales, do saine, procure, or imagine any untrue surmise, against any person or persons that shall so give their personall attendance before them at such Court or Courts, where they haue rule, or authoritie, and upon the same untrue surmise, commit them to any duresse, or imprisonment, contrarie to the Law, or contrarie to the true & laudable custome of that Lordship: Then upon suite made vnto the Kings Commissioners, or Counsell of the Marches, for the time being, by any such person or persons so imprisoned, or by any of their friends, the same Commissioners or Counsell shall haue full power to send for such Steward, Lieutenant, or Officer, and also for the person or persons so imprisoned, and if the same person or persons so imprisoned, can euidently proue before the said Counsell, by good and sufficient witnesses, or otherwise, that his imprisonment was upon any falsed surmise, without cause reasonable, or lawfull, then the same Commissioners shall haue full power to asseste the said Officer to pay to the said person or persons wrongfully imprisoned by .s. viij. d. for euery day of their imprisonment, or more, by the discretion of the said Commissioners, according to the hurts and behaviour of the person or persons imprisoned, and the same Commissioners shall set further fine upon the said Officer, to be paid to the K. yle, as by their discretions shall bee thought convenient. And in case the same Officers doe refuse to appeare before the same Commissioners incontinent after any commandement to them directed, and deliuered, after any such complaint made to the same Commissioners: Then the same Commissioners shall haue full power upon euery default made by any officer or officers, to asseste and set upon euery such Officer, or Officers, making default, such fine or fines, to be leuied to the Kings yle, as by their discretions shall be thought convenient. And the same Commissioners shall haue full power to compell the said Officer or Officers, by way of imprisonment aswell to pay such fine, as shall be taxed vpon them to the Kings yle, as to pay vnto euery person or persons so imprisoned, such summes of money, as they shall be assested to pay for their wrong imprisonment. 26. H. 8. 6.

An officer imprisoning one upon an untrue surmise.

103. No person dwelling or resident within Wales, or the Lordships Marches of the same, of what estate, degree, or condition soeuer he be, committing or repairing vnto any Sessions or Court to be holden within Wales, or any Lordships Marches, of the same, shall bring, or beare, or cause to be brought, or be, to the same Sessions or Court, or to any place within the distance of two Miles from the same Sessions or Court, nor to any Towne, Church, faire, or Market, or other congregation (except it be vpon a hue or outcrie made of any felonie, or robbery done) nor in the high wayes, in assay of the K. peace, or the K. liege people, any bill, long bow, crossbow, handgun, sword, staffe, dagger, halberd, mo: or pike, speare, or any other manner of weapon, or iute coat, or armour defensiu, vpon paine of forfeiture of the same weapon, or iute coat, or armour, & to suffer imprisonment, & make fine and ransom to the K. by the discretion of the Kings Commissioners of his Marches, for the time being, except it be by the commandement, licence, or assent of the said Justices, Steward, or other Officer, or of the Commissioners, or Counsell of the marches for the time being. 26. H. 8. 6. 4. H. 4. 27. S. Armour 9.

No weapon shalbe brought to Courts, fetres, or Churches.

104. No person or persons without licence of the said Commissioners in writing, shall within Wales, or the Marches of the same, or in any Shires adioyning to the same, require, procure, gather, or leuie any Commonth, Bidale, tenants ale, or other collection or exaction of goods, cattels, money, or any other thing, vnder colour of marrying, or for redemption of any Burder, or any other felonie, or for any other manner of cause, by what name soeuer they shall be called: No: shall make, or procure to be made, any Games of running, wrestling, leaping, or any other Games (the game of shooting onely except) vpon paine of one whole yeres imprisonment of euery person or persons, as shall gather, or procure to be gathered

Gathering commonth, exactions, &c.

Procuring of Games.

thered, any such collection, or exaction, or shall make, or procure to be made, any Games, as is aforesaid. And further, they and every of them shall make such fine, as by the discretion of the Kings Commissioners of his Sharches shall bee thought convenient. And the said Commissioners shall have power to heare and determine the said offences by their examination. 26.H.8.6.

Arthel.

105 No person or persons shal at any time cast any thing into any Court with- in Wales, or in the Lordships Sharches of the same, by the meane or name of any Arthel, by reason whereof the Court may be letted, disturbed, or discontinued for that time, upon paine of one whole yeres imprisonment of any such person or per- sons, as shall cast, or cause to be cast any such Arthel into any Court or Courts to be holden within Wales, or the Lordships Sharches of the same: Any custome &c. notwithstanding. 26.H.8.6.

where Sessions shall be kept.

106 All Sessions and Courts to be holden within Wales, or the Lordships Sharches of the same, shalbe kept within the most surest and peaceable place with- in the same Lordship Sharcher, where the said Justice, Steward, or other Officer shall appoint. 26.H.8.6.

Inquire in the Countie adioyning, of offences com- mitted within the Lordships Sharches.

107 The Justices of the Gaole delinerie, and of the Peare, and euerie of them for the time being, in the Shire or Shires of England, where the R. writt runneth, next adioyning to the Lordship Sharcher, or other places in Wales, where any counterfeiting, washing, clipping, or minishing of any Coyne currant within this realme, or murder, shalbe committed or done, or where any other Felonies or ac- cessaries shall be committed, have authoritie at their Sessions and Gaole delinerie, to inquire by verdict of 12. men of the same Shire or Shires next adioyning, within England, where the Kings writt runneth, there to cause all such counterfeitters, washers, clippers of monney, felons, murderers, and accessaries to the same, to be indicted, according to the Lawes of this land, in like manner, as if the same pettie treasons, murders, felonies, and accessaries to the same, had bin committed within any of the said Shires, within the said Realme, and also to heare, determine, and fudge the same, according to the Lawes of this Realme. And all foreign pleas, plea- ded by any of the said offenders, shall be tried and determined in the same Shire, or Shires. And the acquittal or fine making for any of the causes aforesaid, in any of the Lordships Sharches, shall be no barre for any person or persons, being in- dicted in the said Shire or Shires, within two yeres next after any such Shorder or Felonie done. 26.H.8.6.

Foreign pleas.

Acquittal in Lordships Sharches no barre.

Process of outlawrie against per- sons indicted.

108 The said Just. of P. and Gaole delinerie, and euerie of them, have authori- tie to atward all manner of Process, aswell of Outlawrie, as otherwise, against all and euerie such offender and offenders, so indicted, in manner and forme, and accord- ing to the customes and Lawes used within this Realme of England. And the said Justices, or two of them, before whom any such offender shall happen to be outlawed, or attainted by vtlagarie, shall immediately upon the same vtlagarie, or attainder, direct and send vnto the R. Officers of his Lordships Sharches, or to their deputie, or vnto the Lord or Lords Sharches of the same Lordship Sharcher, or to his, or their officer or officers, or to their deputies, wherein such offence, mur- der, or felonie shall happen to be done, or where any such offender, murderer, or fe- lon, shal happen to be resiant, a Certificat vnder the scales of them, or two of them, of any such vtlagarie, or attainder, commaunding them, and euerie of them by the same, vnder paine of forfeiture of a hundred pounds to the King, to be leuied and perceined aswell of the goods, cattels, lands, and tenements, of the same Lord or Lords Sharches, as of the goods, and cattels, lands, and tenements, of the Kings officer there: to apprehend and attach, or cause to be apprehended and attached, the bodie or bodies of the same offender or offenders so outlawed or attainted, and safely to kepe, or cause to be kept, the same offender or offenders, till such conue- nient

Certificat of outlawrie.

next time, before the next Sessions of the Kings Justices of his Gaole deliverte, of the Shire where such offendor or offendors shall happen to be outlawed or attainted, as to the Kings officer of his Lordships Marchers, or to their deputies, or unto the Lord Marcher, or Lords Marchers of the same Lordship Marcher, or to his or their officer or officers, or their deputies, where such offendor or offendors shall happen to be apprehended, attached, detained, and kept, shall be thought expedient for the conveyance, & conveyance of the same offendor or offendors, in maner and forme following, to be delivered from the Kings officers, or their deputies, or the Lord Marcher, or the Lords Marchers, or his or their officer or officers, to other persons assigned by this Act, to receive and convey such offendor or offendors by Indenture to be made between the deliverer or deliverers, and the receiver or receivers: that is to say, The R. officers of his Lordship Marcher, or their deputies, or the Lord or Lords Marchers of the Lordship Marcher, or his, or their officer or officers, or their deputies, where such offendor or offendors shall be apprehended, attached, detained, and kept, shall safely conduct and convey, or cause to be conducted and conveyed the same offendor or offendors to the next Lordship Marcher, toward the Shire where the same offendor or offendors shall happen to be outlawed or attainted. And the R. officers of the same Lordship Marcher, or their deputies, or the Lord or Lords Marchers of the same Lordship Marcher, or his or their officer or officers, or their deputies, shall receive, and safely convey the same offendor or offendors to the next Lordship Marcher. And so the R. officers of every Lordship Marcher, or their deputies, or the Lord or Lords Marchers of the same Lordship Marcher, or his or their officer or officers, or their deputies, to receive and convey safely every such offendor or offendors, from one Lordship Marcher, to another Lordship Marcher by Indenture, as is aforesaid, unto the time that such offendor or offendors shall be safely delivered before the said Just. of the Gaole deliverte, upon paine of forfeiture by every of the Kings officers, or Lord Marcher (by whose default the same offendor or offendors shall, ne may not appear, before the same Justices at their said Sessions; there to stand and abide the order of the R. Lawes) C. l. to be levied and perceived of the goods and cattels, lands and tenements, of the same officer, or Lord, to the R. use. And all and every officer and officers, Lord and Lords, or other persons to whom any certificat shall be directed, as is above said, shall at the next Sessions and Gaole deliverte to be holden after the apprehension or attachment of such offendor or offendors, returne the same certificat in due forme, & what he or they have done in that behalf, upon the paine aforesaid. Saving alway to all and every offendor and offendors, all and singular trauceries, challenges, exceptions, advantages, and all other pleas, so, of, and upon the outlawrie pronounced against the same offendor or offendors, in maner and forme, as is, and hath bin used by the Lawes of this Realme, for any the Kings subjects dwelling within the same Realme. 26.H.8.6.

Conveyance
of offendors
frō one Lord-
ship marcher
to another.

Returne of
the Certificat.

All advantage
ges saved to
the offendors.

109 This Act shall not extend to abridge or deprive any liberties, privilege, or authoritie of any Lord Marcher, heretofore granted to the same Lord, or lawfully used or accustomed by the said Lord, or any of his ancestors, unless the aforesaid offendors happen to be indicted, outlawed, arraigned, convicted, or attainted, by force of this Act, as is above said, within two years next after such Murder, or other felonious offence committed, within the said Lordship Marchers, or any of them: Any thing in this Act etc. notwithstanding. 26.H.8.6. Q. whether the use of these three Branches, viz. 107. 108. 109. 111. be taken away by the annexing of the Lordships Marchers to certain counties in England and Wales.

No liberties
of any Lord
marcher or
bylded.

110 All Murders, Robberies, Felonies, and accessories to the same, which shall happen to be committed within the Shire of Merioneth in Wales, shall & may be inquired, heard, and determined in the Courts of Carnarvan, or Anglesey, before the

Felonies
committed in
Merioneth,
the

Wales.

the Kings Iustices of Southwales, or their deputie, for the time being, by verdict or Enquest to be taken by the Inhabitants of the same Shires of Carnaruan, and Anglesey, or otherwise, if by discretion of the Justice there, or his deputie, it shall be thought convenient. And the same Justice, or his deputie for the time being, shall have full power by his discretion by force of this Act, to heare & determine all and everie the foresaid murders, felonies, robberies, and accessories in forme aforesaid. 26. H. 8. 6. But see the Statute 34. H. 8. that the foresaid Act, and everie article therein contained shall take effect and be executed in all points, for and concerning any of the said offences done within the county of Merioneth, to be inquired of, heard, and determined within the county of Salop, in like manner and forme as commonly is and hath bin used for any of the same or like offences committed within any other county or place of Southwales.

where and to whom any offence shall be committed.

111 Every officer and officers, and their deputies, upon commaundement given by the Commissioners or Councell of the Marches for the time being, shall bring, send, or deliver every offender (which doth commit any murder, robbery, or felony, within the lordships Marches of Wales, or in other places of Wales, without the same lordships Marches, and doth flee and escape from the same Lordship, or other place, where such offence was committed, and repairth into another lordship marcher) to the officer of the Lordship marcher, or other place, where any such offence shall be committed or done upon the metes & bounds of the said Lordships, or to the said commissioners or councell, according as the said officers by them shall be commaunded, under paine of 5l. the same commaundement or commission to be directed to any such officer to be sent, conveyed, and delivered unto a Sergeant at Armes, or Warden attendant on the said councell in the Marches, for the time being. 26. H. 8. 6. Q. Whether the annexing of Lordships Marchers to Counties doth abrogate the force of this branch.

Exactions taken in Forests in Wales.

112 All such unlawfull customes, as have bene used in severall forests in Wales, and the Marches of the same (for the taking of unlawfull exactions of any of the Kings subjects, which passe, go, or ride through or in any way or path of any of the said Forests, not having upon him a token delivered unto him by the chiefe Forresters, Rulers, or Farmers: or to take any such money and gold, as shall be found upon him which is taken by the space of xxiij. foot out of the high way in any of the said forests, or to cause the same person to be taken out of the high way, to lose a joint of one of his hands, or to make fine therfore with the forresters, rulers, &c. at their will and pleasure: or for any forresters, rulers, walkers, or farmers, unlawfully to seise and take any beasts or quicke cattell, & to marke them with the marke of their forests, which doe happen to come, goe, or escape into any of the said forests, by stray, or theefe stolen, or otherwise) shall be determined, void, and had for nought, throughout all and everie of the said Forests within Wales, and the marches of the same. And it shall be lawfull to all and everie of the Kings true subjects, and all other person and persons being in league and amitie with the King, his heires and successors, Kings or queenes of England, directly, quietly, and in peace to passe and repasse, traivaille and goe into and throughout the said Forests and everie of them, both on horsebacke and on foote, as well following and bringing of cattell, as with carrying of wares, or otherwise about their lawfull businesse and affaires, without any fine, forfeiture, toll, custome, exaction, or other imposition to be taken, exacted, or demanded of them, or any of them, by the said forresters, rulers, walkers, farmers, or their assignes: and if it shall chance any of the said forresters, rulers &c. at any time to take any person or persons, being the Kings true subjects, or otherwise in league and amity with our Soueraigne Lord, his heires or successors, Kings or Queenes of England, as is aforesaid, and exact and take of them, or of any of them, any of the said forfeitures, fines, tolles, customes, or exactions,

exactions, as is above mentioned, and be thereof lawfully convicted: Then he or they so doing and offending contrarie to this Act, to incurre and stand in danger of the Statute heretofore provided for robberies by the Kings high way, and the same to be tried before the Justices of the Peace in the next Shire adioynant, according to the Law of this Realme of England. 27.H.8.7.

21.H.8.1.S.
Clergie.13.

113 If any manner of beast or quicke cattell of any of the Kings true subjects, or other the Kings freinds, at any time do come into any of the said forrests by straits, thence stolen, or otherwise, and there be marked and seised of any of the said foresters, rulers, walkers, farmers, or their assignes, or any of them, & the owner or owners of the same cattell, within any one yeare and a day then next ensuing, chance to find the said cattell so taken, & lawfully proue the same to be his or their owne proper cattell, then the same cattell shall be redelivered to the owner or owners thereof, according to the ancient law of this Realm of England, the said owner or owners reasonably paying for the keeping of such cattell, after the rate of the time that such cattell shall have bin in the custodie of any such foresters, rulers, &c. or his or their assignes, in such manner & forme, as heretofore hath bene in like case used to be done by the owners within a yeare and a day next after the seising of the same cattell. And if any of the said foresters, rulers, &c. or their assignes doe denie the deliverance of any such cattell, by them or any of them so seised or marked within any of the said forrests, after the owner or owners of them, shall have duly and lawfully proued them to be his or their owne proper goods or cattells, as is aforesaid: Then euerie such forester, ruler, walker, farmer, or their assignes so doing & offending contrarie to this Act, shall forfeit & pay vnto the partie grieved, the double value of all such cattell, as shalbe so taken and marked, and not delivered to the owner or owners as is aforesaid. And the partie grieved may haue his action of Detinue at the common law, of and for the same cattell against euerie such offender or offenders, and the same to be tried in the next Shire adioynant, wherein no W. C. 30.4c. And like processe of outlawry shalbe had and made in the said action of Detinue in the next Shire adioynant against euery forester, ruler, &c. or their assignes so offending contrarie to the tenor of this act, as in an action of trespass at the common law of this Realme is used. 27.H.8.7.

Redelivery of
strated or
these shire
goods.

114 Forthwith vpon the charge giuen to any enquest to be taken and swozne before any Justices, Steward, Lieutenant, or other officer within Wales, or the marches of the same, of, for, and vpon any trauesse against the King, or the triall of any Recognisance broken, or any other forfeiture forfeited to the King, or of for and vpon the triall of any murderer, felon, or accessarie of felony or murder: one officer or other person shall be deputed, and swozne in the presence of the said Justiciar, or other officer, for the true and diligent keeping of the same Jurors. And the same officer or other person so swozne, without the speciall commaundement of the said Justiciar, or other officer, shall not doe, nor suffer to be ministered to the same Jurors, any bread, drinke, or meate, fire or light, nor shall suffer the same Jurors to speake to any person or persons, nor the same Officer or other person swozne, without the commaundement aforesaid, shall speake to the said Jurors, but onely to demand of them of their agreement, vntill such time as the same Jurors shall haue giuen their verdict, any usage or custome heretofore used to the contrary notwithstanding. And if the same officer or other person so swozne in forme aforesaid, do not execute and accomplish the premises in the othe before rehearsed, in euerie point and article: Then he shall be punished and imprisoned, and make fine and ransom to the King, by the discretion of the said Justiciar, Steward, Lieutenant, or other officer. 26.H.8.4.

I baill for
keeping of a
Jury.

115 If the same Jurors doe acquite any such felon, murderer, or accessarie, vntill true becometh
vpon whose triall they shall be charged, or giue any vntreue verdict against the
King

Bring upon the trial of any Trauers, Recognisance, or other forfeiture, contrarie to the godd and pregnant evidence ministred to them by persons two or three before the said Justiciar, Steward, Reintenant, or other officer, or that the said Jurors, or any of them doe eat, drinke, or speake, to, or with any person or persons, then to such as be two or three with them or otherwise misbehave themselves, after they be sworn, and before they have given their verdict, then the Lord President, or other the counsell of the marches for the time being, upon notice or complaint thereof to be made, shall not onely have authoritie to call such Jurors before them, but also the same Justiciar, Steward, or other officers also whom any such acquittall, untrue verdict, or misdemeanours shall happen to be made, shall have full power to compell such Jurors and everie of them, upon paine of imprisonment, to be bounden by recognisance in a certaine summe of money by their discretion to be limited, that the same Jurors and everie of them shall personally appeare at a certaine day by the same Justiciar, Steward, or other officer to be limited, before the Lord President, and other of the Councill aforesaid, for the time being, then and there to abide and stand to such direction and order, as the same Councill shall make, ordaine, and decre, of, in, and upon the same. And the same Councill shall thereupon have authoritie by examination or otherwise, to heare and determine all and everie such cause, and shall have like authoritie to commit everie of the same Jurors to prison, or other punishment, as shall be thought mete by the discretion of the said councell, or otherwise assesse or take everie such Juror to his fine or ransome by the same discretion, to be paid and levied of their lands, goods, and cattels to the use of the King. 26.H.8.4.

Burgesse
for Haverford
west.

116 The towne of Haverford west shall for ever find one Burgesse for the said towne at everie Parliament, to be holden in England, and the charges of the same Burgesse shall be alwaies borne by the Mayor, Burgesses, and inhabitants of the said towne, and none other. 34.H.8.

Knights and
Burgesses
for the par-
liament.

117 For all Parliaments, to be holden for this Realme, one knight shalbe chosen to the same Parliaments for everie of the Shires of Wexham, Radnor, Pountgomery, and Denbigh, and for everie other shire within the said countrey of Wales, & for every borough being a shire towne within the said countrey of Wales, one Burgesse (except the shire towne of the Countrey of Perioneth) and the election to be in like maner, forme, & order, as knights and burgesses of the Parliament be elected in other shires of this Realme (and to be named & chosen by the authoritie of the Kings writ, under the great seals of England, 34.H.8.) & the knights and burgesses, and every of them shal have like dignitie, preheminance, and privilege, and shalbe allowed such fees, as other knights of the parliament have & be allowed, and the knights fees shalbe levied of the commons of the shire that they be elected in, and the Burgesses fees shalbe levied, and gathered as well of the boroughes, and shire townes, that they be Burgesses of, as of all other auncient Boroughes within the same shire. 27.H.8.26.

The wages
of knights of
the parliament.

118 The Sherifes for the time being of everie of the twelve shires in Wales, and in the countie of Monmouth, have authoritie to gather, and leuse, or cause to be gathered, or levied the knights fees or wages of the inhabitants of the xv. shires, and of the said countie of Monmouth, which ought to pay the same, & the same so gathered shall pay, or cause to be paid to everie such knight, or knights, or to his or their assignes, within two moneths next after such knight or knights shall deliver or cause to be delivered the Kings writ De solutione feodi Militis parliamenti to any such Sherife, and everie such Sherife making default of payment of the fee or wages in maner and forme aforesaid, shall forfeit to the King and Exr. and if any Sherife in any of the said xv. shires and countie shall make default of payment of the said wages &c. by a longer time then two moneths, then he shall forfeit for every moneth

moneth that he shall make default xx. l. to be for. and leuied in manner and forms aforesaid. 35. H. 8. 11.

119 Every Shire and Bailife, and other head officers of cities, boroughes and townes in euery of the said ry. Shires and county of Monmouth within like space of two moneths after the receit of the Kings writ De solutione &c. shall leuie, gather and pay the wages and fees of their Burgeses, in maner and forme aforesaid, and in and vnder like paines and forfeitures as is befoze mentioned, to be leuied of the goods and cattels, of euerie such Shire, Bailife, and other head officers (to whom the Kings said writ shall be directed for the leuying of such fees) making default of payment of the same to the Burgeses &c. 35. H. 8. 11.

The wages of Burgeses of the parliament.

120 Because the inhabitants of all Cities and Boroughes in euerie of the twelue Shires in Wales and in the county of Monmouth, not finding Burgeses for the Parliament themselves, must beare and pay the Burgeses wages within the Shire Townes of and in euerie the said twelue Shires and Counties: the burgeses of euerie of the said Cities, Boroughes, and Townes which be contributory to the payment of the Burgeses wages of the said Shire Townes, shall be lawfully admonished by Proclamation, or otherwise by the Shires, Bailifes, or other head Officers of the said Townes, or by one of them, to come and to giue their elections for the electing of the said Burgeses, at such time and place lawfull and reasonable, as shall be assigned for the same intent, by the said Shires, Bailifes, &c. of the said Shire Townes, or by one of them, in which election the Burgeses shall haue like voice and authoritie to elect, name, and chuse the burgeses of euerie of the said Shire Townes, in such maner as the burgeses of the said Shire Townes haue, or vse. 35. H. 8. 11.

By whom burgeses of the parliament shalbe chosen.

121 Two Just. of peace in euerie Shire in Wales and in the county of Monmouth haue authoritie indifferently to lot and take euerie Citie, borough & towne within the said Shires and County wherein they doe inhabit, for the portions and rates that euerie of the said Cities and boroughes shall beare and pay towards the burgeses within the said Shire townes of euerie of the said Shires & counties, which rates so rated & taxed in grosse by the said two Justices, shall be againe rated and taxed on the inhabitants of euerie of the said cities and boroughes by foure or five discret & substantiall burgeses of euerie of the said cities and boroughes in Wales thereunto named and assigned by the Shire, Bailifes, or other head Officers of the said Cities, townes and boroughes, for the time being, and thereupon the Shire, Bailifes, &c. of euerie such citie borough, &c. shall gather the same, & thereof make payment to the Burgeses of the parliament, within like time, and vpon like paines and forfeiture as is aforesaid. 35. H. 8. 11.

Making of boroughs for the Burgeses wages.

122 Because Lords Marchers in times past haue vsed to put their tenants within the Lordships Marchers, vnder common mainprise and suretie of apparance, and haue had the forfeiture thereof (which for euer shall utterly cease and determine. 27. H. 8. 26.) Therefore aswell the Quenes spirituall and ecclesiasticall subiects, Lords marchers, hauing Lordships marchers, or Lordships royall in Wales, and their successours, and the successours of euerie of them, as also the heires and successours of the Lords tempoꝛall marchers within their Lordships marchers and Lordships royall in the dominion or principalltie of Wales, shall haue and enioy to them and to their heires and successours respectiuelly and generally for euer, the moitie and halfe of euerie forfeiture of all and euerie common mainprise, recognisance for the Peace, or apparance forfeited by any their tenants, inhabiting within any of their Lordships marchers, or Lordships royall, and they to be paid the same moitie by the hands of the Shirifes of euerie of the said Counties where such forfeiture shall be, if the Shirife can leuie the same, and the same Shirife to accompt to the Quene for the other moitie, and further shall haue all such mises and

Lords marchers tenants vnder common mainprise.

Lords marchers shall haue the moitie of the forfeiture of their tenants.

Wales.

and profits of their tenants as the Lords marchers spirituall or tempozall respectively or severally, had, or used to have, at their first entrie into their Lands in times past, before the making of the said Statute of 27.H.8. and also shall have, hold, and keepe within the precinct of their said Lordships, all such Court Barons, Courts Leete, and lawdaies, and all and euerie thing and things to the same courts belonging, and also shall have within the precinct of their said severall lordships or lawdaies, all such wayfe, straie, infangthiefe, outfangthiefe, treasure troue, deobands, goods and cattels of felons, and of persons condemned or outlawed of felony or murder, or put in exigent for felonie or murder, and also all such wecke demere, wharfrage and customes of strangers, as the Lords marchers, spirituall and tempozall respectively and severally had and used in times past before the making of the said statute of 27.H.8.1.& 2.P.& M.15.

L. Marchers
shall retain
their priuiledges.

Subsidies.

123 The tenants and resiants in Wales shall pay their tallage at the charge of their Lords, in such places & after such forme as hath bin accustomed in Wales. 34.H.8

Tallage.

124 All the Kings subiects and resiants in Wales shall be charged and chargeable to all subsidies, & other charges to be graunted by the commons of any parliament holden in England, and shall pay all other rents, farmes, customes, and duties to the king as they haue bin accustomed (fines for redemption of sessions one ly except.) 34.H.8.

The Bible &
booke of Com-
mon Prayer
translated into
the Welch
tongue.

125 The Bishops of Hereford, S. Davies, A. Maph, Bangor, and Landaph, and their successors, shall take such order amongst themselves for the soules health of the flocks committed to their charge within Wales, that the whole Bible containing the New Testament and the Old, with the booke of Common praier, and administration of the Sacraments, as is now used within the Realme in English, to be truly and exactly translated into the British or Welch tongue, and that the same so translated, being by them viewed, perused, and allowed, be imprinted to such number at the least, that one of either sort may be had for euerie cathedral, collegiat, and parish Church and Chappell of ease, in such places and countries of euerie of the said Diocesses where that tongue is commonly spoken or used, before the first day of March, An. Dom. 1566. And that from that day forth, the whole diuine service shall be used and said by the curats and ministers throughout all the said Diocesses where the Welch tongue is commonly used, in the said British or Welch tongue in such maner and forme as is now used in the English tongue, and differing nothing in any order or forme from the English booke. For the which booke so imprinted, the parishioners of euerie of the said parishes, shall pay the one halfe or moitie, and the Parson and Vicar of euerie of the said Parishes (where both be) or else the one of them, where there is but one, shall pay the other halfe or moitie. The prices of which bookes shall be appointed and rated by the said Bishops, and their successors, or by three of them at the least. The which things if the said Bishops, or their successors, neglect to do, then euerie one of them shall forfeite to the Duchesse Daiesle, her heires and successors, the summe of xl l. to be leuied of their goods and cattels. 5.Eliz.28.

A Bible and
booke of Com-
mon praier in
English, shall
be in euerie
Church in
Wales.

126 And one booke containing the Bible, and one other booke of Common Prayer in the English tongue, shall be bought and had in euerie Church throughout Wales, in which the Bible and Booke of Common Praier in Welch is to be had by force of this act (if there be none already before the first day of March 1566.) and the same bookes to remaine in such conuenient places, within the said churches, that such as vnderstand them may resort at all conuenient times to reade & peruse the same. And also such as do not vnderstand the said language, may by conferring both tongues together, the sooner attaine to the knowledge of the English tongue. Any thing in this act &c. notwithstanding. 5.El.28. in a stat. not imprinted.

¶ In

In the time of King H. the 4. it was provided by severall Statutes, that no Welchman (except he were a Bishop, or a temporal Lord) should have any Castle, fortresse, or house defensive of his owne, but such as had bin vsed in the time of king Edw. the Conqueror of Wales, nor that any Welshmen should be made Iustice, Chancellor, Chamberlaine, Treasurer, Shirife, Steward, Constable of Castle, chiefe foster, nor other officer, nor Lieutenant, in any of the said offices in any part of Wales, nor of counsel with any English Lord (Bishops and such as were tried faithful and obedient subiects except) nor that any Englishman married to any Welchwoman, should be put in any office in Wales, nor should have any franchises with English Burgesses, nor that any person should carry any victuall or armour into Wales, without the King or Councils licence, saving to store the English castles & townes, nor that any English man should bee convicted by any Welchman in any court in Wales, but by Englishmen of the next venue, and of good fame, nor that any Welchman should purchase any Land in England, or in English townes in Wales, nor should be Burgesse, or have any other libertie within any of them. But it seemeth that the force of those statutes is taken away by the statute of 27. H. 8. 26. Therefore see the first branch of this title &c. & Quære.

1 For exigents and other proces for and against any persons dwelling in Wales. S. Exigents 6. 9.

2 Shirifs in Wales shall have deputies in the Kings bench and Common place. S. Exigent 7. 8.

3 A Tales De circumstantibus is to be granted in the xij. shires in Wales. S. Jurors 23.

4 The Act provided for Tanners, Curriers, Shoemakers, &c. shal be construed to extend to Wales, as amply as it doth to England. S. Leather. 47.

5 In what sort Mortuaries shall be paid in Wales and the Marches. S. Mortuaries 5.

6 For the triall of Treasons and misprision of Treason committed in Wales, or the Marches thereof. S. Treason 12.

7 For money paid in Wales for the redemption of forfeitures. S. Rents 1.

8 For the authoritie of commissioners of Sewers in the Countie of Glamorgan in Wales. S. Sewers 6.

9 For the inrolling of fines and recoveries in the twelue shires in Wales, and in the towne and countie of Hauerford West &c. S. Fines 31. &c. S. 5. Eliz. 25.

Wards, Wardships, Marriage.

If any man doe enfeoffe his eldest sonne or heire, being within age, of his inheritance, that thereby the Lord might lose his wardship, yet notwithstanding such feoffment, the chiefe Lord shall have his wardship. Marleb. 52. H. 3. 6.

2 If any persons meaning to demise their lands for terme of certaine yeares, (that they might thereby defeat the Lords of the fee, of their wardships) will saine false feoffments, containing that they are satisfied of the whole service due unto them untill a certaine terme, & that such feoffers are bound to pay at the said terme a great summe to the value of the same lands, or much above, so that after the same terme the land shall reuert to them or their heires, for that no man will desire to hold the same of so great a price, yet by such fraud no chiefe Lord shall lose his wardship. But it is not lawfull for such Lords to disseise the feoffers without iudgement thereupon given, but they shall have a writ to haue the wardship deliuered unto them: & then it shall be tried by the witnesses named in the deed of feoffment, with other good and soemen of the countrey, by the quantitie and value of the land, & the quantitie of the summe payable after the terme, whether such feoffment, were

Tenant in feoffeth his heire to defeat wardship.

Fraudulent conveyance to defeat the lord of wardship.

Eiectione custodiz.

Wards, Wardships, Mariage.

made in good faith, or by fraud to defeat the Lord of his wardship. And if the chiefe Lords do by iudgement of the Court recover their wardship, yet the fees shall haue their action reserued to recouer their terme or fee when the heires shall come to their lawfull age. And if any chiefe Lords doe maliciously implead such fees, sayning this case where the fees were made lawfully and in good truth, then the fees shall haue their damages & costs awarded vnto them, which they sustained by reason of the foresaid suit: And also the plaintifes shall be grievously amerced. In a plea of Communi custodia, if the deforcors come not at the great distresse, then the writ shall be renewed twice, or thrice, at such times as it may be done within the halfe yeare following, so that euery time the writ shall be read in the open Countie (if the deforcors be not found before) and there openly be proclaimed, that he may come at the day limited. And if he doe then absent himselfe, so that he come not to answer within the said halfe yeare, nor that the Sheriffe can find him to haue his bodie before the Iustices, to answer according to the law and custome of the Realme, then as a Rebell, and one that will not be iustified, he shall lose the seisin of the Ward: Saving to him his action at another time, if he haib any right to the ward. But in cases where Wardships doe belong to Cardeines of heires being within age, and where the Cardeines doe demand a wardship which belongeth to the heire, or as appertayning to their inheritance: Such heires within age shall not lose their inheritance by the negligence or stubbornesse of their Cardeines, as in the case aforesaid, but the Common Law shall procede as it had wont to doe. Marlb. 1. H. 3. 6. 7.

The process
in Communi
custodia.

Ward by reason
of ward.

After ward-
ship, no reliefs
nor fine.

Ward made
knight.

Ransomment
of ward.

Ransomment
of ward.

The heire
dyeeth.

The plain-
tife dyeeth.

The defend-
ant dyeeth.

3 If the heire of an Earle, Baron, or Knight be within age, his Lord shall not haue the ward of him, nor of his land, before he hath taken of him Homage. And after such an heire hath been in ward, when he is come to full age of xxi. yeares, he shall haue his inheritance without reliefs and fine, so that if such an heire being within age, be made Knight, yet nevertheless his land shall remaine in the Lords custody, untill the terme aforesaid. Magna charta. 9. H. 3. 3.

4 If any Lay man, friend, or other, do with force against the Kings peace withhold, lead away, or marrie any heire vnder the age of xxiij. yeares, and is thereof convicted, he shall pay to the partie from whom the said heire is taken, the value of the marriage, and shall be imprisoned untill he hath paid the said value, if the child be married, and also untill he hath satisfied the King for the trespass. Merton. 20. H. 3. 6. Westm. 1. 3. E. 1. 22. S. Women 6. 7. 8. 12.

5 He which both ransome, and take away any man, or woman child (whose marriage belongeth to another) having himselfe no right in the same marriage, although he doe after restore the child unmarried, or doe make satisfaction for the marriage, yet shall he be two yeares imprisoned for his offence: And if he doe not restore the heire, or doe marrie him after the yeeres of consent, & is not able to make satisfaction for the marriage, he shall abjure the Realme, or haue perpetuall imprisonment, & thereupon the plaintife shall haue a writ of Ransomment of ward. And if the heire chance to die before he be restored, or can be found, yet the suit shall proceed betwene them, untill it be tried who ought to haue had the marriage, if he had bin liuing: For the wrongfull Ransomer of such a ward, shall not be excused or eased of his punishment, by the death of the heire, which he did wrongfully withhold during his life. And if the plaintife doe die before the suit be determined betwixt them, if the right did belong vnto him, by reason of his owne proper se, the plea shall be resummoned at the suit of the plaintifes heire, and shall passe in due order: But if the right did belong vnto him by reason of any other title, or by gift, sale, or such like, then the plea shall be resummoned at the suit of the plaintifes executors & shall passe &c. In like sort, if the defendant die before the plea be determined, or the heire restored, the suit shall proceed by resummons betwixt the plaintife, or his heire, or executors

executors, and the executors of the defendant, or his heirs, if the executors be not sufficient, as concerning the satisfaction of the value of the marriage, be not to the imprisonment (so; in that sort one man shall not be punished for another's offence) In like sort, when any suit dependeth betwixt parties for the Ward of an heir, or land, or of both, by the common writ de Communi custodia, continuing shall be made betwixt the heirs, & executors of the plaintiff, and the heirs and executors of the defendant, if death prevent any of the parties before the suit determined: And when they have passed to the great writ, there shall be a time given, wherein there may be holden these Counties at the least, in every of which Counties there shall be open Proclamation made, that the defensor shall appear at the Common Place, at the day contained in the writ, to answer the plaintiff, at which day if he doe not appear, & the Proclamation be so testified the first, second, and third time, Judgement shall be given for the plaintiff, saving the defendants right, if he will at an other time defend the same. In the same manner it shall be done in an action of Trespass, when a man complaineth himselfe to be tried from such wardships. West. 2. 13. E. 1. 33.

Communi custodia.

Electione custodia.

6 If any Heire being above riiij. yeeres of age, and under xij. marrie without the licence of his Lord, to defeat him of his marriage, and the Lord do offer him a reasonable and convenient marriage (without disparagement) then his Lord shall retaine his land above his age of xij. yeeres, so long that he may thereof receive the double value of his marriage, according to the estimation of lawfull men, or according to that he hath bin offered before, without fraud and malice, for the same marriage, and according to that it may be proved in the Court. Merton. 20. H. 3. 6. West. 1. 3. E. 1. 21.

Forisfactura maritajij.

7 If an Heire (of what age soever he be) will not marrie at the Lords appointment, he shall not be thereunto compelled, but when he commeth to his full age, he shall satisfy his Lord of so much as he might have received of an other for his marriage, before he shall have his land, and that shall he do whether he will marrie himselfe, or not, for that the marriage of an heire within age is due to the Lord of the fee. Merton. 20. H. 3. 7.

Valore maritajij.

8 If a Guardian, or chiefe Lord in fee, take any man of land, which is the inheritance of a Child within age, and in his ward, to the disinheritance of the heire, the heire shall forthwith have his redress by Assise of Novel disseisin, against his Guardian, and against the Tenant, & the Assise shall be delivred by the Justices (if it be recovered) to the next friend of the heire to whom it cannot descend, for to improve to the heires use, and to answer the Assise to the heire when he commeth to full age: And the Guardian shall lose during his life, the wardship of the thing recovered, and all the residue of the inheritance which he holdeth in the name or right of the heire, & if any other Guardian than the chiefe Lord do it, he shall lose the custodie of all that thing, and shall be grievously punished by the King. And if an Infant be carried away, or disturbed by the Guardian, or by his Feoffee, or any other, by reason whereof he cannot sue his Assise, one of his next friends that will, shall be allowed to sue for him. West. 1. 3. E. 1. 47. S. Assise 2.

A guardian maketh a feoffment of the heires lands.

Suit by Prochein Amie.

9 If any Heire after the death of his Ancestors be within age, and his Lord hath the wardship of his lands, if his Lord will not deliver him his lands when he commeth to full age without suit in Law, the heire shall recover his land by Assise of Mordancester, with the damages that he hath sustained by the withholding thereof, since the time he was of full age. And if an Heire at the time of the ancestors death be of full age, and is heire apparant, and knowne for heire, and found in the inheritance, the chiefe Lord shall not put him out, nor take, nor receive any thing there, but onely shall take simple feisin for possession of his Seigniorie, that he may be knowne to be Lord. And if the chiefe Lord do maliciously hold such an

A remede for the heire of full age to recover his land from his Lord.

The heire of full age at the death of his ancestors shall onely pay Rentry.

Wards, Wardships, Mariage.

Heire out of possession, whereby he is driven to purchase an Assise of Mortdau-
ceter or writ of Cōsinage, then he shall recover his damages, as in Assise of Nouel
disseisin. Marib. 52. H. 3. 16.

The Gardian
shall make no
waist of the
heires lands.

10 The Gardian in Chivalrie of an Heire within age, shall take of the heires
lands but reasonable issues, customes, and services, & that without destruction and
waist of his men, & other commodities, and so long as he hath the wardship of the
same heire, he shall maintaine his houses, parkes, stagnes, pools, mills, and all other
things belonging to the same lands, with the profits of the same, and shall deliver to
the heire when he cometh to his full age, his ground sowed with ploughs, and
all other things (at the least as he received it) Mag. chart. 9. H. 3. 5. And if a Gar-
dian do commit waist, he shall loose the wardship: And if the losse of the wardship
untill the full age of the heire be not sufficient to recompence the dammages of the
waist, he shall also answer to the heire damages. Gloucest. 6. E. 1. 5.

Gardian in
Dowage.

11 The Gardians of an heire within age, which holdeth his land in Dowage,
shall commit no waist, destruction, or sale, in the same inheritance, but shall safely
keepe it to the vse of the heire, so that when he cometh to his full age, they shall
make him account, & answer him of the issues of the same land: Saving to them
their reasonable charges. Neither may the same Gardians give or sell the ward-
ship of the same heire, but onely to his profit. Marib. 52. H. 3. 17.

At what age
an heire fe-
male shall be
out of ward.

12 If the Lord of an Heire female to whom the marriage belongeth will not
marrie her, after she hath accomplished the age of xiiij. yeares, but for cometous
lucre of the land will keepe her unmarried, he shall not have nor keepe by reason
of marriage the land of such heire female, more then two yeares after the said
terms of xiiij. yeares: And if the lord within the said two yeares doe not marrie her,
then she shall haue an action to recover her inheritance, without giving any thing
for her wardship, or marriage. Westm. 1. 3. E. 1. 22. But the Law of the Realme is,
that if a woman be of the age of xiiij. yeares at the time of the death of her ancestor,
she shall haue Luerie of her lands descended unto her. 39. H. 6. 2.

The heire fe-
male refusing
marriage.

13 If an heire female, of malice, or by euill counsell will not be married by her
chiefe Lord, where she shall not be disparaged, then her Lord may retaine her land &
inheritance untill she hath accomplished the age of an heire male, viz. of xij. yeares
and above, untill he hath received the value of her marriage. West. 1. 3. E. 1. 22.

Priority of
feoffment
giveth title
of wardship.

14 If one inheritance descend to any Infant within age of the fathers side,
which held of one Lord, and an other of the mothers side that held of an other Lord,
that Lord shall haue the marriage, of whom the childes ancestor was first infeof-
fed, without having respect to the lere or quantitie of the land, but onely to the more
ancient feoffment by knights service. West. 2. 13. Ed. 1. 16. 28. E. 1.

Disparage-
ment of the
heire.

15 Heires shall be married without disparagement. Mag. chart. 9. H. 3. 6. And
if any Lord doe marrie those which they haue in ward, being within the age of
xiiij. yeares (so that they cannot consent to marriage) to villains, or other such kind
of Bozough men, where they are disparaged, then if the wards friends doe com-
plaine thereof, the Lord shall lose the wardship, untill the full age of the heire, and
the profit that shall be thereof taken, shall be converted to the vse of the heire, which
is within age, according to the disposition of his friends, for the shame which is
done unto him: But if he be of the age of xiiij. yeares and above, so that he may and
do consent to such marriage, no paine shall follow. Merton. 20. H. 3. 6.

Tenure by
knights ser-
vice.
Petit Ser-
uientie

16 Where Reliefe shall be given, there marriage is incident, & e converso.
Such as hold in Seruientie to goe with the L. in his host, there ward and reliefe do
belong. Such as hold by petit Seruientie, as to beare shields or speare in the L. host,
to beare or carrie, there lyeth neither Ward, Marriage, nor Reliefe. A free Boke-
man shall not give ward nor reliefe, but he shall double his rent after the death of
his ancestor, according as he was wont to pay, & shall not bee unmeasurably grie-
ued.

ned. There be two maner of wryts to recouer wards: one is where lands be holden by knights seruice, the other where a man doth hold land of an other in Socage. The ward of land that is holden by knights seruice, doth belong to the chiefe Lord, vntill the heires age of xij. yeaues, and the marriage. And he ought to be so married, that he be not disparaged. The ward of an heire which holdeth in Socage, if the land or inheritance descend on the others side, belongeth to the next friend on the Fathers side, &c. conuerso. A wryt to recouer Ward may be brought in three maners. One is, when a man demandeth the ward of the land and heire, & that is in case where one man holdeth lands of an other by knights seruice, & the tenant dieth, then may the chiefe Lord, if he be despoised demand the ward of the land & heire, and shall haue both ward & marriage. An other maner is, when a man is infeoffed of one yard land by one man, & of an other by an other man, the second Lord may not bring a wryt of Ward to recouer either the land or the heire, for the ward belongeth to the lord of whom he was first infeoffed. The third maner is, where a man hath land in his hands by reason of a ward, and hath not the heire, then he may bring a wryt to demand the heire, and not the land. An 28 E. 1. de Wardis & Relevijs.

Who the he
garden in
Socage.

The wryt
of wards.

17. The King shall haue the Wardship of all their lands which hold of him in chiefe by knights seruice, whereof the tenants were seised in their demesnes as of fee, the day of their death, of whom soeuer they hold by like seruice, so that they held of auncient tyme any lands of the King, as of his Crowne, vntill the heire come vnto his lawfull age (except the sees of the Bishops of Canterbury, and Durham, betwene Bine and Lees, and of Carles and Barons of the Parches &c.) Prerog. Reg. 17. E. 1. And therefore, because the King shall haue aswell those lands which be holden of others, as which be holden of himselfe, whereof his tenant died seised during such minority of the heire, and vntill he hath sued his Ruerie, such mesne Lords during such minority, shall receiue the rents due to them for the same lands holden of them, by the hands of such of the Kings officers, as be appointed to receiue & take the profits and reuenues of the same lands so holden of such mesne Lords, during the minority of such heire, and vntill he sue his Ruerie. And such heire vntill he shall, or conveniently might haue sued his Ruerie, shall be thereof discharged. And such Officer shall vpon request made, pay the same to such mesne Lords, they giuing to him sufficient acquittance, and such payment and acquittance shewed, shall be to the same Officer a sufficient discharge vpon his accompt. 2. E. 6. 8. S. Prerog. 1. S. Office 1.

wardship of
them which
hold by
knights ser-
uice in chiefe.

How the
mesne Lord
shall be answer-
ed their chiefe
rent, during
the heires mi-
noritie.

18. If any do hold of the K. by fee ferme, or Socage, or Burgage, & he holdeth lands of an other by knights seruice, the K. shall not haue the custodie of his heire, nor of his land, which is holden of an other mans fee, by reason of the fee ferme, Socage, or Burgage: Neither shall he haue the custodie of such fee ferme, Socage, or Burgage, except knights seruice be due vnto him out of the said fee ferme: Neither shall he haue the custodie of the heire, or of any land holden of an other by knights seruice, by occasion of any petit Sergeantie that any man holdeth of him, to pay a knife, an arrow, or other like thing. Mag. chart. 29.

Tenure of the
K. by fee ferme
or Socage.

Petit Ser-
geantie.

19. The King shall haue the marriage of an heire being within age, and in his custodie, whether the land of such heire haue of auncient tyme bene holden of the Crowne, or that it came by reason of Gift being in the K. hands, or that he hath the marriage by reason of the ward of the Lord of such heire, without respect of priority of feoffment, although the heire hold of others. Prerog. Reg. 17. E. 1. 2.

Marriage.

20. If a woman before the death of her auncellor, which held of the K. in chiefe, be married before she be marriageable, then the King shall haue the wardship of the same woman, vntill she be of the age able to consent, and then she may chuse whether she will haue him, to whom she was first married, or him that the King will

The K. wo-
man tenant
married in the
life of her aunc-
cellor.

Wards, Wardships, Mariage.

will offer her. Prerog. Reg. 17. E. 2. 5.

Wast in
wards land
by the King
committed.

21 If the King do commit the wardship of the land of any heire in his custodie to the Sherife, or any other, to answer to his Grace the profits of the same lands, and he do make wast or destruction in the wardship, he shall make amends to the King, & the lands shall be committed to two lawfull and discreet men of the same sex, which shall answer the king, or him to which he will assigne, the profits of the same lands. Mag. chart. 4.

Wast in
wards lands
by the King
granted.

22 If the King doe give or sell to any man the wardship of any such land, and he both make wast or destruction therein, he shall lose the wardship, and it shall be delivered to two lawfull and discreet men of the same sex, which shall answer the King the profits &c. Mag. chart. 9. H. 3. 4.

In Escheator
shall have no
fee, nor commit
wast in wards
lands.

23 An Escheator shall have no fee of wood, Wenison, fish, nor other things, but shall answer to the King the issues and profits yearly coming of wards lands, without doing wast or destruction. And if any Escheator, or Subescheator, do commit wast in any wards lands, as in houses, woods, parkes, warrens, or other things that fall into the Kings hands, he that hath received the losse shall have an action of Wast out of the Chauncerie against the Escheator, for his fact, and the Subescheator for his fact (if he have whereof) and if have not, his master shall be answerable for the damages. And if the Escheator be attainted of wast, he shall be punished at the Kings pleasure, and yeld to the heire treble damages at the heires owne suit, as well within age, as of full age, and his friends, as long as he is within age, shall have the suit for him, answering to the heire that which shall be recovered. Articuli super chart. 28. E. 1. 18. 36. E. 3. 13.

Fraudulent
conveyance to
defeat ward-
ship, &c.

24 If any person or persons, having estate of inheritance, of, or in any manors, lands, tenements, or hereditaments, holden of the King by knights service in chief, or otherwise of the King by knights service, or of any other person or persons by knights service, have given, at any time since the xx. day of July, 32. H. 8. An. Dom. 1540. or hereafter shall give, will, devise, or assigne by will, or other act executed in his life, his manors, lands, tenements, or hereditaments, or any of them, by feaud or couin, to any other person or persons, for terme of yeares, life, or lives, with one remainder over in fee, or with divers remainders over for termes of yeares, life, or in taile, with remainder over in fee simple to any person or persons, or to his, or their right heires: or at any time since the said xx. day of July, hath conveyed, or hereafter shall convey, or make by couin, (contrarie to the true intent of the Act provided 34. H. 8. for the making of Wills) any estates, conditions, incumbrances, tenures, or conveyances, to the intent to defraud or deceive the King of his Prerogative, primer seisin, livery, reliefs, wardships, marriage, or rights, or any other profits, of their wardships, reliefs, heriots, or other profits, which should or ought to accrue, grow, or come unto them, or any of them, by, or after the death of his or their tenant, by force, and according to the statutes made 32. H. 8. 1. and 34. H. 8. 5. And the same estates, and other conveyances, being found by office to be so made, by couin, feaud, or deceit, contrarie to the true intent of the said Acts: When the King shall have aswell the wardship of the bodie, and custodie of the lands, &c. as livery, primer seisin, reliefs, and other profits, which should or ought to appertaine to him, according to the true meaning of the said Acts, as though no such estates or conveyances by couin had never been had or made, untill the said office be lawfully done by Trauerse, or otherwise. And the other Lords and Ladies, of whom any such lands, &c. shall be holden by knights service, as is aforesaid, shall have their remedie in such cases, for his or their wardships of bodie and lands, by writ of right of ward, and shall distraine and make amends or cognisance by themselves, or their Bailiffs, for their reliefs, heriots, and other profits, which should have been to them due, by, or after the death

death of their tenant, as if no such estate or conveyance had been had or made: Saving the right and title of the donors, lessors, and devisees thereof, against the said donor, and his heirs, after the interest and title of the King or other Lord therein ended: 34. H. 8. f.

25 If two or more doe hold any lands, tenements, or hereditaments, of the King by knights service jointly to them, and the heirs of one of them, and he that hath the inheritance thereof dyeth, his heir being within age, the King shall have the Ward and marriage of the body of such Heir, the life of the freeholder, or freeholders of the said lands, tenements, &c. notwithstanding. 32. H. 8. 1.

26 All Wards which the King is intituled to have, with their manors, lands, tenements, rents, remainders, reversions, services, and all other hereditaments, as well in possession, as reversion, and all revenues, issues, and profits of the same, for the time the same be, or ought to be in the Kings possession, shall be in the order, survey, and government of the Court of Wards and Liveries, and the ministers of the same. 32. H. 8. 46. And all Liveries which shall be sued out of the hands of the King, his heirs and successors, and out of the hands of any of them, of any Castles, honours, manors, lands, tenements, rents, reversions, remainders, or other hereditaments whatsoever they be, shall be in the order, survey, and government of the said Court of the Kings Wards and Liveries, and of the ministers of the same. 13. H. 8. 22.

27 The Treasurer, Attorney, Receiver general, and Auditors of the Court of Wards and Liveries, or three of them, whereof the Treasurer shall be one, have authority to make sale and grant of the Kings Wards, and everie of them, and part of their lands during their minority, the same sale and grant to passe by the Kings bill assigned. And also the said Treasurer, with the advice of the said Attorney, and Receiver, or one of them, have authority without the Kings bill assigned, to make woodsales to the Kings use, of all underwoods, upon any of the Kings wards lands, being lawfully in the Kings possession. And to take and appoint Timber for the necessarie reparations of all the castles, manors, lands, tenements, and parkes of the said wards. And in the Kings name to make Leases during the minority of the said wards, of all Lordships, manors, lands, and tenements, remaining in the Kings hands, and belonging to the said wards, yielding to the King such rents, as shall be thought convenient by the discretion and survey of the said Treasurer, Attorney, Receiver, and Auditors, or three of them, whereof the Treasurer to be one. And also the said Treasurer, by the advice of the said Attorney, Receiver, and Auditors, or three of them, hath authority to survey all the Kings Widowes, and to treat, commune, and conclude with all and everie one of them that have married themselves without the Kings licence, for their reasonable fines to be made to the Kings use, and to take and assesse the same by their discretion, according to the Statute of Prærogativa Regis. And also to survey, govern, and order, all and singular Woods, and naturall Foles, which be in the Kings hands, and all the manors, lands, and hereditaments &c. being in the Kings hands, or in the hands of any other person to their uses, that doe come, or be in his Graces hands, in the right of any of them, by reason of his Prærogative Royall. And by the said advice &c. three, or two of them, to let and set the manors, lands, and tenements, to the Kings use, for the time of the Kings interest, for such rent and fine, as by their discretions shall be thought convenient: The feeding and keeping of the persons their wives, and children, and the reparations of their said houses and lands alwayes to be considered. And the said Treasurer, with the advice of the said Attorney, Receiver, or one of them, hath authority to call at all times before them, into the office of the Wards &c.

The donors title saved after the Lords interest determined.

Wardship by reason of a remainder only. In the Kings Wards, & their lands in the order of the Court of Wards and Liveries.

The authority of the chief officers of the Court of Wards and Liveries.

Grants of Wards.

Woodsales.

Reparations. Leases.

S. Prærog. 4. 16 The Kings Widowes.

Woods.

Prærogative Royall.

Prærogative Royall.

by

Wards, Wardships, Marriage.

Intrusion. by the pꝛoces of the same Court, euerie person which is, oꝛ hath bene the Kings Ward, intruding, oꝛ entring into, oꝛ vpon his Lands, oꝛ vpon any part thereof, after his full age of one and twentie yeares, and befoze he hath sued and obtained his Lierie, oꝛ Ouster le maine foꝛ the same, out of the Kings hands, vnder his great Seale, aswell to make aunswere foꝛ his intrusion vpon the Kings possession, as to make payment to the Kings Receiuer generall of the same Court, of all such rents, issues, and pꝛofits by him taken at any time after his full age of one and twentie yeares, and befoze Lierie sued foꝛ the same out of the Kings hands. And the said pꝛaeter in all places, and the said Attorney, Receiuer generall, and Auditoꝛs, oꝛ two of them, in the said Court (the pꝛaeter being absent) haue authoritie to take Obligations to the Kings vse, of euerie particular Receiuer, which shall bee assigned foꝛ the said Court, and of his sureties foꝛ sure payment of his receipts, and to take Obligations to the Kings vse, aswell of euerie Farmour, Baylife, Réue, oꝛ other accomptants, foꝛ the true payment of their Receipts, and of euerie person which is indebted to the King foꝛ any Arerages of his Receipts, Farmes, oꝛ Charges, as of any other person, foꝛ any other cause oꝛ matter concerning the pꝛemises, determinable within the said Court. And all such Obligations and writings obligatorie, of what summe soeuer they bee, be of the same strength, qualitie, and effect, to all intents, as writings obligatorie, made by any lay person, by the authoritie of the Statute Staple bene, oꝛ ought to bee. And the pꝛaeter, Attorney, and Receiuer generall, oꝛ two of them, haue authoritie to set such fine, as by their discretion shall seeme good, vpon any person called by the Kings pꝛoces of the same Court, to appeare at Westminster in the same Court within the Terme, at a certaine day to him pꝛescribed to appeare, and hath day giuen in Court to make aunswere to the matters objected against him in the same Court in the Kings behalfe, which doth depart the Court befoze answere made, and Attorney put into the Court, with assent of the Court, foꝛ pꝛesenting the matter with effect, which fine shall bee leuied of his Lands, Tenements, Goods, and Cattels, to the Kings vse. And also the said pꝛaeter hath authoritie to make and appoint all and singular particular Receiuers, Feodaries, and Surueyours, in euerie Shire, and also sees foꝛ executing the same, vnder the Seale of the same Office, in such wise, as the same Officers may bee alwaies remouable at the discretion of the said Court. And also to make allowance of the costs of all Commissioners, particular Receiuers, Surueyours, Auditoꝛs, Counsellors, and Feodaries, and euerie of them, by his Will assigned, which Will is a sufficient warrant to the Auditoꝛs of the same Court, to make allowance of the same. And the said pꝛaeter hath authoritie to take Recognisances of all persons that be called in to the said Court, to answer to any matter alleadged against them in the said court, to make their daillie apparance in the said Court, to answer to such matter, as to them, then, and there from time to time shall be alleadged. And all such recognisances, of what summe soeuer they bee, be as good and effectual in the Law to all intents, as Recognisances taken in the Chauncery, oꝛ elsewhere, befoze any Judge of Recoꝛd, within this Realme. And the said pꝛaeter, with the aduice of the Court, oꝛ of such number of the same as then bee pꝛesent, so that they be two beside the said pꝛaeter, haue full potuer to moderate such Recognisances as be there foꝛsetted, and to set fines foꝛ the same to the Kings vse vnder the summes contained in the said Recognisances, the same fines to be leuied by pꝛoces of Scire facias &c. And the said pꝛaeter with the aduice beforesaid, hath authoritie to commit to ward any person oꝛ persons foꝛ his oꝛ their disobedience, contempt, oꝛ other offence to be made, triable within the said court, and vpon the said matters oꝛdoꝛed there, to deliuer them from pꝛison, and to cancell and make void all Recognisances and Obligations taken in the same Court to the Kings vse, when the said pꝛaeter

Tords of accomptants.

Setting of fines.

Appointment of Officers.

Recognisance of apparance.

Moderating of recognisances foꝛsetted.

Committing to pꝛison. Cancellling Bonds.

Spaſſer, with the aduice of the ſaid Court, oꝛ thre of them, ſhall ſee the matters foꝛ the which any ſuch Recogniſſance oꝛ Obligation was taken to be finiſhed, and the king oꝛ partie thereupon ſatiſfied, without any other warrant foꝛ the ſame. 31. H. 8. 46. 33. H. 8. 22. 33. H. 8. 39.

28 The Maſter and Officers of the Court of Wards and Liveries, ſhall take foꝛ the fees of all pꝛoces, at the ſuit of the parties vnder the pꝛinceſeale of the ſame Court y. s. vj. d. And foꝛ the fees of all Commissions, directed out at the ſuit of the parties y. s. vj. d. And foꝛ recoꝛding of all appaꝛances ty. d. and no moꝛe. 31. H. 8. 46. foꝛ the authoritie of the Court of Wards & Courts.

1 Within what time a parent of Wardſhip ſhalbe ſued forth after the granting thereof. S. Patents 24.

2 What thoſe officers of the Court of Wards ſhall forfeit, which do withdraw oꝛ conceale any of the Kings rents oꝛ profits. S. Officers 7.

3 Liveries ſhall be in the order, ſurvey, and gouernance of the Court of Wards and Liveries. S. Liveries 4.

Warrantie.

In Deedes where it is contained, Dedi & conſeſſiſſale tenementum, viz. I haue giuen and graunted ſuch a tenement, without homage, oꝛ any claue that containeth warrantie, and to hold of the donoꝛs and their heires by a certaine ſeruiſe, the donoꝛs and their heires ſhall bee bound to warrantie. And where it is contained Dedi & conſeſſi, &c. to hold of the chiefe Lords of the ſir, oꝛ of any other then of the ſeoffoꝛs; oꝛ their heires reſeruing no ſeruiſe to himſelfe, without homage, oꝛ without the ſoꝛſaid claue of warrantie, his heires ſhall not be bound to warrantie, but the ſeoffoꝛ by reaſon of his gift ſhall bee bound to warrantie during his owne life. Statut. de bigamis. 4. Ed. 1. 6.

2 If a man alien the land that he holdeth by the courteſie of England, his ſonne ſhall not be barred by the deed of his father (from whom no heritage to him diſcended) to demaund and recouer by writ of Mordaunceller of the ſeiſin of his mother, although it be mentioned in the deed, that his father did bind him and his heires to warrantie. And if any heritage diſcend to him of his father ſine, then hee ſhall be barred foꝛ the value of the heritage that is to him diſcended. And if in ſuch caſe after the death of his father, any inheritance diſcend to him by the ſame father, then ſhall the tenant recouer againſt him of the ſeiſin of his mother by a iudiciall writ, that ſhal iſſue out of the rolles of ꝑ J. befoꝛe whom the plea was pleaded, to reſummon his warrantie, as befoꝛe hath bin done in like caſes, where ꝑ heire of the warrantoꝛ cometh into the court, ſaying that nought diſcended from him by ꝑ whoſe deed he is vouched. And in like manner, ꝑ iſſue of the ſon ſhal recouer by writ of Coſſuage, Aſſet, & Beſaiel. Likewise, ꝑ in like manner, the heire of the wiſe ſhal not be barred after the death of his father & mother, to demaund by action the inheritance of his mother by writ of Centre, which his father did alien in the time of his mother toꝛ of no ſine is leuied in the Kings Court. Glouc. 6. Ed. 3. S. Womea. 7.

1 Where the King ſhall be bound to warrantie. S. Aide of the King 1. Monasteries 35.

2 Where a womans ſuit oꝛ her heires, ſhall not be deferred by the minority of the heire, which ſhould warrant the lands. S. Women 1.

Warre.

Wages ſhall be giuen by the King, and not by the Commons, to Pꝛappetters, Conueyoꝛs, and ſouldiers, being in making ready to conuey

The fees foꝛ pꝛoces, and recoꝛding appaꝛances.

The fees foꝛ pꝛoces, and recoꝛding appaꝛances.

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The fees foꝛ pꝛoces, and recoꝛding appaꝛances.

men toward Service in War. 1. E. 3. 7. Men of War, Hoblers, and Archers chosen to goe in the Kings Service out of England, shall be at the Kings wages from the day that they depart out of the Countie where they were chosen, until their coming againe. 1. E. 3.

Wast.

No farmer
shall make
wast without
warrant.

Farmers during their termes shal not make wast, sale, or erile of houses, woods, or men, nor of any thing belonging to the tenements which they haue in ferme, without they haue special graunt by writing, making mention of the covenant that they may do it. Mar. 5. 2. H. 3. 24.

In action of
wast aginst
tenant by the
courtise, for
life, or yeares.

A man shall haue an action of Wast in the Chauncerie against him which is tenant by the courtise of England, or otherwise tenant for terme of life, or for terme of yeares, or against a woman which holdeth in doter, and he which shall be attainted of Wast, shall lose the thing wasted, and besides shall pay treble so much as the Wast shall be tared. Gloucest. 6. Ed. 1. 5.

No wast of
estrepement
hanging any
tree.

After such time as a plea is moued in the cite of London by writ, the tenant shall haue no power to make any wast or estrepement of the land which is in demaund, hanging the plea. And if he do, the Mayor and Bailifes shall cause it to be kept at the suit of the demaundant. And the same Ordinance and Statute shall be observed in other Cities, Boroughes, and elsewhere, throughout the whole Realme. Gloucest. 6. Ed. 1. 13.

Process in an
action of wast.

In every manner of Wast committed in any mans Inheritance, by Executors, Tenants in Doter, by the Courtise, or otherwise for terme of life, or for terme of yeares, to the damage of another, a Writ of Summons shall be awarded, and if after the Summons, he against whom the writ is brought, appeare not, he shall be attached, and after the attachement he shall be distrained, and if he appeare not after the distress, the Sherife shall be commanded, that in his owne proper person, taking with him 12. or. he shall go vnto the place wasted, & inquirie of the wast committed, and returne the inquisition, and after the inquisition is returned, iudgement shall be given, as is contained in the Statute of Gloucester. Westminster. 1. 3. Ed. 1. 14. S. 2.

Writ to in-
quire of wast.

Tenant for
life or yeares
granteth ouer
his estate, tak-
eth the profits,
& commit-
teth wast.

If any persons do let their lands to any other for terme of life, for terme of another mans life, or for terme of yeares, and the tenants doe graunt their estate which they haue in the same, to any other persons, to the intent, that they in the reuerſion should not know their names, and after the first tenants doe continually occupie the said lands, and take thereof the profits to their owne vse, and in the said lands commit wast to the disheritance of them in the reuerſion: In such case, they in the reuerſion may haue & maintaine an action of wast against the said tenants, and so recover against them the place wasted, and their treble damages for the wast committed, as they ought to haue done for the wast by them done before the said graunt. But this Ordinance holdeth not place, but where the first tenants were punishable of wast before the graunting of their estate, & also where after the said graunt they take the profits of the same lands to their owne vse, at the time of the wast committed. 13. H. 6. 5.

Wast commit-
ted by a tenant
in common.

Whereas two or more do hold any Wood, Turbarie, Fishing, or other such things in common, wherein none knoweth his owne senerall, and one of them doth commit wast against the will of the other, an action of wast may lie, & where it is come vnto iudgement, the defendant shall chose either to take his part in a place certaine, by the assignement of the Sherife, and by the view and oath of his neighbours, two or more and tries for the same intent, or else he shall graunt to take nothing from thenceforth in the same Wood, Turbarie, & such other, but as his part

ners will take, and if he doe chuse to take his part in a place certaine, the place wa-
sted shalbe assigned for his part, according as it was before he committed the wast.
West. 2. 13. Ed. 1. 22.

1 The remedie where wast is committed in any Wards lands. S. Wards 10. 11.
21. 22. 23.

Watch and Ward.

From the feast of Assention untill Michaelmas in euery Citie, by men shall watch at euery gate, in euery Borough ry. men, in euery Towne five or foure according to the number of the inhabitants of the Towne, & shall watch the towne at night, from the Sunne setting to the Sunne rising, and if any stranger doe passe by them he shall be arrested untill morning, and if no suspicion be found, he shall goe quite, and if they find cause of suspicion, they shall forthwith deliuer him to the Sherife, and the Sherife shall receive him without hurt, untill he be acquitted in due manner: And if he will not obey the arrest, they shall leue huy and cry vpon him, and such as keepe the towne, shall follow with huy and cry with all the towne and townes nere, and from towne to towne, untill he be taken and deliuered to the Sherife, as before is said, and for the arrestments of such strangers none shalbe punished. Winchest. 13. Ed. 1.

When the night which shall begin & end.

Arresting of nightwalkers

2 In great townes walled, the gates shall be shut from the Sunne setting untill the Sunne rising: And no man shall lodge in the suburbs, or any place out of the towne from ix. of the clocke untill day, except his host will answer for him, and the baylives of townes euery weeke, or at the least euery xv. day shall make inquirie of all persons, being lodged in the suburbs, or in foure places of the townes, and if they find that any hath received any suspicious persons, not keeping the peace, the Baylives shall execute right and iustice therein. Winchest. 13. Ed. 1. And Iustices of peace haue power to make inquisition in their Sessions from time to time, and to punish them which be found in default after the tenor of the foresaid Statute of Winchester. 5. H. 4. 3.

watching of walled townes

Waxe and Honey.

Euery person within this Realme, or the dominions of the same, which shall in the making and melting of Waxe, by any way or meanes vse or practise, or cause to be vsed or practised any manner deceit, by mixture and mingling the same with Rosin, Tallow, Turpentine, or any other deceitfull thing, to the intent, to sell and utter the same, or offer the same to be sold or uttered for Waxe to any person or persons whatsoever, shall forfeit and lose the same mingled or corrupted ware. And if the same corrupted ware shall happen to be sold, before such default and corruption shall be found, then the said melter, mingler, or corrupter, causer, or procurer thereof, shall forfeit for euery pound y. shillings, whereof the one halfe to be to the Quene, the other halfe to the parties deceiued, if he will sue for it, or any other person or persons that will sue for the same, in any of the Qu. Courts of Record. 23. Eliz. 8.

Utting decrees by mixture in melting of waxe.

2 Euery melter and maker vp of untowought ware, shall haue for himselfe a Stampe or marke, of the brenth of six pence, wherein two letters shall be plainly grauen, signifying his name and surname, and with the same shall Stampe euery piece of ware, to be printed or stamped triangle, in thre places vpon the outside of the vpper part of euery piece so melted and cast, vpon the paine, to forfeit the value of euery piece or cake sold, or offered to be sold, and not so stamped, or marked. 23. Eliz. 8.

Euery melter of waxe, shall haue his marke.

Waxe and Honey.

Wrought
wax marked.

3 No person ne persons within this Realme, or the dominions thereof, shall melt, mixe, worke, or sell any manner of wrought waxe, stuffe, or wares wrought with waxe, as in lights, staffe-toyces, red ware, or sealing ware, booke candle, searing candle, searing of dead corpes, linkes, graine ware, red ware, or any other worke, or thing whatsoever, to be done or wrought with waxe to be put to sale, but with good, holestone, pure, & convenient stuffe, made in such wares, or worke in convenient quantitie to be used. And everie person, or persons, that shall worke, or sell such stuffe or wares of waxe, shall have a marke, or stampe, or seale, to set on his or their work, by him or them wrought, or sold, to the intent, that if any deceit be used, or done, it may be knowne who were the workers thereof: And such person or persons as shall be found or knowne to worke, or sell, or to sale put, any such false waxe, or wares wrought with waxe, to be put to sale, shall forfeit the same corrupted or deceitfull wares and wares, the one halfe to be to the Quene, &c. and the other to the partie deceived, if he shall sue for the same, or otherwise to him or them that will sue for the same, by B. A. or J. in any of the Quenes Courts of Record, wherein no C. P. shall be allowed. 23. Eliz. 8.

Corrupted or
false mingled
wax forfeit d.

4 Everie person and persons whatsoever, which shall sell, or offer to be sold any corrupted and false mingled waxe, shall forfeit the said waxe, the one moitie thereof to be to the Quen, and the other to the partie deceived, if he shall sue for the same, or otherwise to him or them that will sue for the same, as aforesaid. 23. Eliz. 8.

Selling waxe
of their owne
Bees.

5 Doubled alwaies, that this Act, as touching the marking of waxe, shall not extend to any person or persons, selling the waxe of their owne Bees in open markets in small pieces, nor to any servant, or servants, or other persons, mingling or corrupting any waxe, by commandment of their master or other person having authoritie over them, so as they will confesse the same. 23. Eliz. 8.

Waxes of ho-
ney marked
with 3 letters

6 All Barrells, Kilderkins, and Firkins, filled with honey by the maker and filler, shall be marked with two letters, standing for his name and surname, each letter of an ynch and a halfe of length at the least, burnt upon the head of the caske with an hot yron, upon the paine to forfeit vs. iiij. d. for everie barrell, kilderkin, firkin, or caske, sold, or offered to be sold, and not so marked: And if any person or persons doe or shall fill, or sell, or cause to be filled, or sold, or offered to be sold, any barrell, kilderkin, or firkin, with Honey, for, or in the name of a barrell, kilderkin, or firkin, containing lesse then 32. wine gallons the barrell, 16. wine gallons the kilderkin, and 8. wine gallons the firkin, every person and persons so offending, shall forfeit for every halfe gallon so lacking, 5. shillings. And everie person and persons that shall corrupt the honey so sold, or to be sold, with any deceitfull mixture, shall forfeit the barrell or vessel, and honey therein contained, to the Q. and Informer, &c. Ann. 23. Eliz. 8. S. Wines 13.

Corrupting
of Honey.

Counterfei-
ting of marks
or marking
with anothers
marke.

7 If any person or persons that at any time hereafter counterfeit any the marks above mentioined, or shall set to the marke or markes of any other person or persons, without the consent of the same person or persons, whose names the said markes shall signifie, everie such offender in the premisses, shall forfeit for everie such default v. l. the one moitie thereof to be to the Quene, &c. and the other moitie to the partie deceived, if he will sue for the same, or otherwise to any other person or persons, that will sue for the same by B. A. or J. in any of the Quenes Courts of Record, wherein no C. P. shall be allowed. And for non sufficiency of payment thereof, to be set on the Pillorie in the next market Towne, to the place where such offence shall be committed, and to suffer thre Moneths imprisonment, without baile or mainprise for everie offence committed contrarie to this article of this present Act. 23. Eliz. 8.

8 Ware-Chaundelors, which shall take for their Candles and other workes of waxe above iiij. pence a pound, more than the plaine waxe is worth betwene
Parliament

Merchant and Merchant, shall forfeit the same, or the verie value thereof and being attained thereof, shall make fine to the King. 11. H. 6. 12. S. Iustice of Peace 42.

Weights and Measures.

One weight, one measure, and one yard shalbe throughout the whole Realme, as well without the Staple, as within. Magna charta 26. 14. E. 3. 12. 27. Ed. 3. 10. And every measure of Cozne shall be striked without heape: Daning the rents and fermes of Lozds. 25. Ed. 3. 10. 34. Ed. 3. 6. One weight and measure through the Realme.

2 By the consent of the whole Realme of England the Treasure was made, that an English penny called a Sterling, round, and without clipping, shall weigh 32. coynes of wheat in the midst of the eare, and 11. 8. shall make an ounce, 19. ounces of Troy weight shall make a pound, and 8. l. of Troy weight shall make a gallon, viij. gallons shall make a bushell, which is the viij. part of a quarter. Compositio menlurarum. 51. Ed. 1. 12. H. 7. 5. 3 Bushell.

3 There be but onely 8. bushels rased and stricken to the quarter of cozne, and 14. l. to the stone of wool, and 16. stone to the sacke. 11. H. 7. 4. 1. H. 5. 10. 15. R. 2. 4. 34. Ed. 3. 6. And whosoever doth buy or sell wools at more weight then at 14. l. the stone, shall pay double to the partie grieved, and make fine to the King, according to the quantitie of the trespass. 13. R. 2. 9. 3 quarter of cozne, a stone, a sack of wool.

4 Thre graines of barley doe make an ynch, twelue ynches do make a fote, thre fote do make a yarde, siue yards and a halfe doe make a perch, and fortye perches in length and foure in breadth doe make an acre, Compositio vinarum & peticarum. 3 acre of ground.

| 5 | The breadth. | | | The length of the acre. | | |
|---|--------------|---------|----------------------------------|-------------------------|---------|----------------------------------|
| | Perche. | Perche. | Fesse. | Perche. | Perche. | Fesse. |
| | 10 | 16 | 0 | 28 | 5 | 11 ¹¹ / ₁₆ |
| | 11 | 14 | 9 | 29 | 5 | 8 ¹¹ / ₁₆ |
| | 12 | 13 | 5 ¹ / ₂ | 30 | 5 | 5 ¹ / ₂ |
| | 13 | 12 | 5 ¹ / ₁₁ | 31 | 5 | 2 ⁴¹ / ₆₁ |
| | 14 | 11 | 7 ¹ / ₁₄ | 32 | 5 | 0 |
| | 15 | 10 | 11 | 33 | 4 | 14 |
| | 16 | 10 | 0 | 34 | 4 | 11 ¹¹ / ₁₇ |
| | 17 | 9 | 6 ¹⁷ / ₁₈ | 35 | 4 | 9 ¹ / ₂ |
| | 18 | 8 | 14 ¹ / ₁₈ | 36 | 4 | 7 ¹ / ₁₈ |
| | 19 | 8 | 6 ¹⁸ / ₁₉ | 37 | 4 | 5 ¹⁷ / ₁₇ |
| | 20 | 8 | 0 | 38 | 4 | 3 ¹⁹ / ₁₉ |
| | 21 | 7 | 10 ¹ / ₁₄ | 39 | 4 | 0 |
| | 22 | 7 | 4 ¹ / ₁₄ | 40 | 4 | 0 |
| | 23 | 6 | 15 ¹⁸ / ₁₇ | 41 | 3 | 14 ⁷³ / ₈₅ |
| | 24 | 6 | 11 | 42 | 3 | 13 ¹¹ / ₄₅ |
| | 25 | 6 | 6 ¹ / ₁ | 43 | 3 | 11 ⁷⁷ / ₈₈ |
| | 26 | 6 | 2 ⁷ / ₁₃ | 44 | 3 | 10 ¹ / ₁ |
| | 27 | 5 | 15 ¹ / ₁₈ | 45 | 3 | 9 ¹ / ₁ |

In ordinaunce of measuring of Land, An. 34. Edw. 1.

Weights and Measures.

3 way of
Cheese.

6 The weight of a weigh of Cheese must containe xxxij. cloues, that is to say, e-
uery cloue vij. pound by the weights touching. 9.H.6.8.

7 Anno 11.H.7.4. and 12.H.7.5. it was enacted, that there should be carried
into euerie Citie, Bozough, and Market Towne hereafter named, one of euerie
Weight and Measure, which the said king H.7. caused to be made of Brass, ac-
cording to his Standard of his Erbequer, there to remaine for euer in the keeping
of the head Officer of the same Citie, Bozough, or Towne, as the kings Standard
of Weight and Measure, and that the Inhabitants of all Cities, Bozoughes, and
Market Townes within euery of the said Shires, should make, or cause to be made,
to remaine with them, common Measures and Weights, according to the same
Weights and Measures, and that the same Measures and Weights should bee
viewed, examined, printed, signed, and marked, by the head Officer, in whose pos-
session the said Standard should remaine.

The names of the Townes limited for the keeping of Weights and Measures.

| | | | |
|--------------|------------------------------|------------|------------------------------|
| Westmerland. | Towne of Appleby. | Surrey. | Towne of Gilsford. |
| Northumb. | T. of Newcastle. | Sussex. | T. of Lewes. |
| Cumberl. | Citie of Carleol. | Deron. | Citie of Driford. |
| Lancast. | T. of Lancaster. | Berk. | T. of Reading. |
| Essex. | Citie of Poike. | Hertford. | T. of Hertford. |
| Lincoln. | Citie of Lincolne. | Salop. | T. of Shrewsbury. |
| Derb. | T. of Derby. | Staff. | T. of Stafford. |
| Noting. | T. of Nottingham. | Glouc. | Citie of Gloucester. |
| Leicest. | T. of Leicester. | Wiltorn. | Citie of Worcester. |
| War. | Citie of Couentrie. | Wiltel. | Citie of New Salis-
bury. |
| Notyl. | T. of Nppingham. | South. | Citie of Winchester. |
| North. | T. of Northampton. | Som. | T. of Ilchester. |
| Bedf. | T. of Bedford. | Dorset. | T. of Dorchester. |
| Buck. | T. of Buckingham. | Devon. | Citie of Exeter. |
| Cantab. | T. of Cambridge. | Coynab. | T. of Kestutiel. |
| Hunt. | T. of Huntingdon. | London. | Citie of London. |
| Notf. | Citie of Norwich. | Wiltow. | Citie of Wiltow. |
| Suff. | T. of S. Edmondesh-
bury. | Quing Por. | Castle of Dover. |
| Essex. | T. of Chelmesford. | Couentrie. | Citie of Couentrie. |
| Herts. | T. of Hertford. | South. | T. of Southamp-
ton. |
| Glouc. | Citie of Westminst. | Chester. | Citie of Chester. |
| Bent. | T. of Spaldon. | | |

Head Officer
may signe
weights and
measures to
euery man
that will.

8 Euery head Officer hauing the said weightes and measures signed and prin-
ted, vnder the signe and print for the same, hath authoritie to make, signe, and
print, like Weights and Measures vnto euerie the Kings Subjects duely requi-
ring the same, taking for marking and sealing of euery Bushell s. 3. of euery other
Measure an halfe peny, of euery hundred weight a peny, and of euery halfe hun-
dred ob. and euery weight vnder, a farthing, and not aboue, vpon paine to forfeit
for euery time that he refuseth, or both the contrarie r. s. to the R. and J. that will
sue by A. of debt, wherein no W. ac. 11.H.7.4. 12.H.7.5.

Somethal buy
or sell, but with
weights and
measures sig-
ned & printed.

9 No Merchant or other person within any Citie, or Market Towne, shall buy
or sell with any weight or measure, except it be marked, signed, or printed, in
for me aforesaid, no, any other person, out of the said Cities, Bozoughes, and Mar-
ket Townes, except it be like and equall with the said Standard. And euery per-
son

for as well without Cities, Boroughs, and Market Townes, as within, shall buy and sell with a Bushell sealed, signed, & marked, after the forme alsoe said, and none otherwise. But this Act shall not extend to any person selling or buying by water measure within the Shipbords, but the same shall onely containe five peckes after the said Standard raised & stricken. Neither shall this Act extend to any Weights appertaining to canage of Linne within the Counties of Cornwall and Devonshire, but all such weights shall be used and corrected, as hath been used. 11.H.7.4.

12.H.7.5.

10 All the Mayors, Bailiffs, and other head Officers of every Citty, Borough, or Market Towne, shall cause twice in the yeare, by officer, as they shall thinke necessarie, all Weights and Measures within the said Cities, &c. to be brought before them, and to be duly viewed, and examined; and such as they shall find defectiue, immediately to be broken and burnt, and the offender shall forfeit for the first time by s. viij. d. to the said Mayor, Bailiff, or any other having iurisdiction and correction in that behalfe, and at the second time xij. s. iij. d. and at the third time xx. s. and for the further punishment, shall be set upon the Pillorie to the example of other. But the examination of defaults abovesaid, and punishment to the offenders of euery offence committed within any of the five Ports, shall be done by the Lord Warden of the said five Ports, or by his Lieutenant, and none other. 7.H.7.3. 11.H.7.4. 12.H.7.5. S. Iustice of peace 92.

11 Every Citty upon paine of x.l. every Borough upon paine of C. s. and every Towne where a Constable is, upon paine of xl. s. to be leuied to the vse of the King, so often as they shall be found defectiue, shall haue a common Ballance with Weights, according to the Standard of the Erchequer. 8.H.6.5. But these penalties shall not extend to any Towne which is no Citty, Borough, or Market Towne. 11.H.7.4. By the foresaid Statute of 8.H.6. the Burgeses of the Borough of Worcester, shall not be disturbed of their right to vse their weighing by ry. Piles about the same Borough, using alwaies such common Weights as be according to the Standard of the Erchequer. 9.H.6.6.

11 At the common Ballance, and common weights sealed, of every Citty, Borough, and Towne, all the Inhabitants of the same Citty, Borough, &c. may freely weigh without any thing paying, taking neuertheless of foreigners for euery draught within the weight of xl. l. a farthing, for euery draught betwixt xl. l. and C. l. an halfe peny, and for euery draught betwixt C. l. and a M. l. a peny at the most, whereof the weights shall be maintained, and the officer rewarded by the discretion of the chiefe of the Citty, borough, &c. according to his attendance. 8.H.6.5.

13 Iustices of peace, Sherrifes, Ercheatores, and other Commissioners assigned by the King, haue power by commission, to enquire of all falsifiers & counterfeisers of false Weights, and to take and imprison them, & in prison to hold them without mainprise, vntill they be acquitted or attainted, and if they be attainted, their bodies shall remaine in prison, vntill they haue made fine and ransome, according to the Iustices discretion. 9.H.5.8. S. Iustices of peace 92.

14 Wools, and all maner of Auer de poyss shall be weighed by the Ballance which is equall, and by lawfull weights sealed according to the Standard of the Erchequer, so that the tongue of the Ballance shall be equall, without bowling to the one side, or to the other, or without putting hand or foote, or other touching thereof, and he which doth the contrarie, to the damage of the seller, shall forfeit to the King the value of the goods so weighed, shall be two yeares imprisoned, and make fine at the Kings pleasure, and the plaintife shall haue his quadruple damages. 25.E.3.9. 27.E.3.10. 12.R.2.9. 8.H.6.5.

15 By the Statutes intituled, Assisa panis & cereuisie, Statutum panis & cereuisie, Iudicium Collustrigij, Statutum de Pistoribus, Braceatoribus, & alijs Vi-

Gggg ij

Water measure.

Weights for canage of Linne.

Viewing and examining weights and measures.

Every Citty, Borough, and market townes shall haue a common ballance and weights.

Every one may weigh at the common ballance and weights.

Counterfeisers of weights.

Weighing by equall ballance.

The Title of Bread & Ale.

cellarijs,

Weights and Measures.

Sterling
pny.

tellarijs, made 51.H.3. and 51.Ed.1. there were severall ordinaunces p^{ro}vided for the prices of B^{re}ad and Ale, according to the price of Co^{yn}e, viz. when a quarter of Barley was sold for 5 s. that then B^{re}wers should sell iij. gallons of Ale for 1 s. when Barley was sold for 5 s. 6 d. the quarter, then vij. gallons for 1 s. when barley was sold for 5 s. the quarter, then thre gallons, for 1 s. when for 5 s. 6 d. the quarter, then v. gallons for 1 s. and when for 5 s. the quarter, then two gallons for 1 s. and so should rise and fall, as the price of Co^{yn}e did rise and fall by 6 d. in the quarter And there be also severall weights assayed of the wastell b^{re}ad, the Cinniall, the Cocket b^{re}ad, and Poundhold b^{re}ad, according to the price of Wheat rising and falling betwixt 15 s. and 5 s. the quarter, all which sorts of B^{re}ad were ordained to be weighed by sterling money, as it was current in the Reignes of king H.3. and king Edw.1. viz. that a sterling penny should weigh xxxij. graines of Wheat in the midst of the eare, and that xx. of those pence should make an ounce: which values, time sithence hath much altered: but omitting the value, & casting the inst weight of an ounce, the same proportion in weight which the statute appointeth, is to be observed and the weights & measures which be kept and used in Cities, Townes, & Boroughes, according to the Statute of 11.H.7. and 12.H.7. doe agree with the foresaid old statutes in effect. And in the said old statutes is ordained, that the prices of B^{re}ad and Ale shall not be changed, but as Co^{yn}e riseth or falleth 6 d. in the quarter. And that if the Baker or B^{re}wer do breake the assise, the first, the second, and the third time, he shall be amerced, according to the quantitie of his offence, except his offence be great: but if his offence be great, or that he doth offend the fourth, or more often times, the Baker offending shall be set upon the Pillorie, and the B^{re}wer shall be punished by the Tumbrell, which punishments shall not be pardoned for gold or silver. And if the Bakers farthing B^{re}ad be found lacking 5 s. 6 d. or under, (viz. an ounce and being Troy) he shall be amerced, and if it exceed, he shall be set upon the Pillorie. And the Pillorie shall be of sufficient strength, that the Judgement may be executed upon the offenders without perill of the bodie. S. Brewers 1.

1 By what measure Purveyors shall take Corne and other Vissuall. S. Purveyors 16.

2 For the length, breadth, and weight of all maner of Cloth. S. Draperie 1 &c. 27.67.

3 For the assise, length, and breadth of Couerlets made in Yorkshire. S. Couerlets 3.

4 For the content of each vessell of Wine, Hony, and Oyle. S. Wine 13.

5 For the content of a But, Barrell, halfe Barrell, and other vessell of Salmon. S. Fish 8.

6 For the content of a Barrell, halfe Barrell, and Firkin, of Herrings and Eeles. S. Fish 9.10.

7 For the content and weight of Barrells and Firkins of Sope. S. Sope 1.

8 For the content of euery vessell made for Ale and Beere. S. Cowpers 1.

9 How he shall be punished, which occupying buying of Pewter, or Brasse, doth occupie any deceitfull beames, and weights. S. Pewter 4.

10 That woollen cloth shalbe sold by the yard and ynche. S. Draperie 67.

11 By what measure Millers shal take their Toll. S. Toll 2.

12 For the weight of Hempe, and how much shall be accompted a stone. S. Cables 2.

13 The contents of euery Barrell, halfe Barrell, and Kilderkin of Honie. S. Wax &c. 6.14.S.13.R.2.9.

Wares.

Weares.

By the Statute of Magna Chart. cap. 15. 16. and 23. it was provided, That no Village or freemen should be distrained to make any Bridges or Bankes, but such as by right they had wont to make. So that any Bankes should be from thenceforth defended, but such as were defended in the time of King Hen. the 1. and by the same place, and the same bounds. And that all Weares should be wholie put downe by Thames, Owerway, and through all England: Saving by the Sea coast.

Bridges.
Bankes.

to care.

3 All such weares, mills, Bankes, Stakes, and keddels, which be leuied and set vp in the time of King Ed. the 1. and after, whereby ships and boates be disturbed that they may not passe in such Rivers as they were wont, shall bee taken away, and pulled downe, and not be set vp againe, and thereupon writts shall bee sent to the Sherifes of the places where neede shall bee, to suruey, inquire, and thereof make execution. And also Justices shall be assistant, as often as neede shall require, as 5. Ed. 3. 4. And if any such Statutes be pulled downe, according to the intent of the foresaid Statute, bee that shall leuie, or set by the same againe, and thereof shall bee in due maner attained, shall forfeit to the King C. Markes, to bee leuied by the escheates of the Exchequer. And the same Law shall hold place of any annoyance committed by the enhauncing of such weares, mills, Bankes, Stakes, and keddels, as by the making of new. 45. Ed. 3. 2.

If the weares
shall be pulled
downe, & not
repaired.

3 Commissions shall be directed in due forme to sufficient persons to be Justices in every Countie of England, where neede shall be, to suruey and keepe the waters and great Rivers there, and to correct and amend the faults, and to make due execution of the foresaid Statute of 5. and 45. Ed. 3. according to the effect thereof, as well by their suruey, advice, and discretion, as by the Enquests thereupon to be taken within franchises, and without, if, and when neede shall be, and to heare and determine the foresaid things. And moreover to suruey the weares, mills, Bankes, Stakes, and keddels, aunciently vsed and leuied before the time of R. E. 1. And those which they shall find too much enhaunced or streitned, to abate, reforme, & amend, in manner and forme aforesaid. Saving alwaies a reasonable substance of the weares, mills, Bankes, Stakes, and keddels aforesaid, as in old time made and leuied. 1. H. 4. 12. S. 4. H. 4. 11. What Commissions shall bee made to certaine Justices and other, in every Countie where neede shall be, to inquire of all that which is contained in the said Statutes, and to punish the offenders of the same by fine, according to their discretion: Saving alwaies to the King the paines compassed in the said Statutes. And the escheates of such fines shall be deliuered by the said Justices to the Sherife of every Countie by Indenture, and the Sherife shall pay of the issues and profits rising of the said escheates, to every of the said Justices for every day, that he shall trauell to execute the said Commission, iiij. s. and the Sherife shall thereof haue allowance in the Exchequer.

Commissions
to suruey the
faults of
weares.Commissions
allowance for
their paines.

4 And if any such annoyance of weares, mills, Bankes, Stakes, and keddels of passages, and streitnings in old time made and leuied, bee in such or awarded by the said Justices to be abated or amended, he which hath the seignhold thereof, shall execute the same at his owne costs, within halfe a year after notice thereof to him given, upon paine of C. Markes, to be paid to the King by the escheates of the Exchequer. And he which doth make them to be set vp againe, enhaunced, or streitned, contrary to the said Iudgement, and thereof is duly convicted, shall forfeit to the King C. Markes, to be paid as is aforesaid. And in case any man solety himselfe grieved by execution, or other mean in this behalf against right and reason, let him pursue it, and he shall haue right and reason. 1. H. 4. 11.

The forfeiture
of offenders.

VVeares. White Ashes. Wildfoule.

In offence not
reformed ac-
cording to the
Commissioners
Act.

5 If by award or Iudgement of any of the said Commissioners assigned according to the said statute of 1.H.4. it be found, that any such weares, fishgarths, mils, mildams, millstanks, lockes, hebbing weares, stakes, kiddels, hecks, or floodgates be made, leuied, exhaunced, streited, or enlarged, contrarie to the same statute, if the offendours in this behalf, contrarie to the said award, rule, and iudgement, being duly warned by the Sherife, or Undersherife of the Countie or Counties where such weares, fishgarths, &c. and other annoyances, disturbances, or impediments aforesaid shall be found, made, leuied, streited, or enlarged, (by Scire facias being directed to the said Sherife, or Undersherife) do not within three moneths next after the said garnishment made, at their owne costs and charges duly and fully amend, breake down, and auoid the said making, leuying, enhauncing, streitning, or enlarging, being defective, as in the foresaid statute is specified: Then he or they which shall in this case offend, shall forfeit to the King for euery default C. Parkes, by transcript to be deliuered into the Exchequer, in maner and forme, as in the said statute is contained. And if the offendour, his heire, heires, assigne, or assigns, or any of them do deserre, or continue the same defaults, contrarie to the foresaid award, rule, and iudgement of the Commissioners aforesaid, he or they so deserring or continuing the same default, shall forfeit for euery month after the said three month ended, that the same default shall remaine and be not corrected, amended, nor reformed, one hundred Parkes to the king, and any of his subiects that will sue by A. of debt, wherein no W. C. P. 4c. 12. Ed. 4. 7.

In offence
made by a
Stranger.

6 If any person, other then such against whom such award, rule, or iudgement was made and had, not being heire or assigne to them, or any of them, will presume to occupie or continue any such weares, fishgarths, mils, mildams, millstanks, lockes, hebbing weares, stakes, kiddels, hecks, floodgates, or other disturbances, or impediments, as is aforesaid, he or they which doe presume to occupie or continue, shall forfeit for euery default for euery month, as is aforesaid, one hundred Parkes to the king, and any of his subiects that will sue by A. of debt, wherein no W. C. P. 4c. 12. Ed. 4. 7. S. Sewers.

White Ashes.

White Ashes
shall not be
transported.

NO person shall ship, lade, carie, or conuey any white Ashes towaerd the parties beyond the Seas, upon paine of forfeit of vij. s. viij. d. for euery Bushell of such Ashes so to be shipped, or laden, to be caried or conueyed into the parts beyond the Seas, to the king and I. to be recovered by A. I. 4c. wherein no W. C. P. 4c. 2. Ed. 6. 26.

Wildfoule.

Taking or
destroying
the Eggs
of Wildfoule.

From the first day of March, vnto the last day of June yearly, no person shall willingly withold, purloine, take, destroy, or conuey any Egges of any kind of Wildfoule, from any nest or place where they shall be layed by any kind of the same wildfoule, upon paine of imprisonment for one whole yere, and to forfeit to the King and I. 4c. for euery egge of any Crane, or Bustard, so destroyed or taken from any nest or place xx. d. and for euery egge of euery Bitter, Heron, or Shonelard vij. d. and for euery egge of euery Mallard, Teal, or other wildfoule a penny, wherein no W. C. P. 4c. This Act shall not be hurtfull to any person that will destroy any Crowses, Choughs, Ravens, and Bustards, or their egges, or any other foule, or their egges, not comestible or used to be eaten. 25. H. 8. 11. 3. Ed. 6. 7. S. I. of peace 23. S. Felants &c. 1. 2. &c.

Wils

Wills and Testaments.

All and euerie person and persons, hauing any manors, lands, tenements, or hereditaments, holden in Socage, or of the nature of Socage tenure, and not hauing any lands, &c. holden of the King by knights service, by Socage tenure in chiefe, or of the nature of Socage tenure in chiefe; nor of any other person or persons by knights service, shall haue full and free libertie, authoritie, and power, to giue, dispose, will, and deuise, as well by his last Will and Testament in writing, or otherwise, by any Act or Acts lawfully executed in his life, all his said Lands, &c. or any of them, at his pleasure: Any Law &c. notwithstanding.
32.H.8.1.

10. Julij, Anno Dom. 1540.
Lands holden in Socage & none in chiefe, or by knights service.

2 All and euerie person and persons, hauing Manors, Lands, Tenements, or hereditaments, holden of the King, his heires or successors, in Socage, or of the nature of Socage tenure in chiefe, and hauing any other lands &c. holden of any other person or persons in Socage, or of the nature of Socage tenure, and not hauing any lands, &c. holden of the King by knights service, nor of any other Lord or person by like service, shall haue full and free libertie, authoritie, and power, to giue, will, dispose, or deuise, as well by his last Will and Testament, in writing, or otherwise, by any Act or Acts lawfully executed in his life, all his said Manors, Lands, Tenements, and hereditaments, or any of them, at his free will and pleasure: any law, statute, custome, &c. notwithstanding. Sauing to the King &c. all his right, title, and interest of primer seisin, and reliefe, and also all other rights and duties for tenures in Socage, or of the nature of Socage tenure in chiefe, as heretofore hath been used and accustomed, the same lands &c. to be taken, had, and sued out, of, and from his hands, by the person and persons to whom any such lands, &c. shall be disposed, willed, or deuised, in such like maner and forme, as hath been used by any heire or heires, before the making of this Statute. And sauing and reseruing also fines for alienations of such Lands &c. holden of the King in Socage, or of the nature of Socage tenure in chiefe, whereof there shall be any alteration of scéhold or inheritance, made by will, or otherwise, as is aforesaid.
32.H.8.1.

Lands holden of the King in Socage in chiefe, and none holden by knights service.

The kings primer seisin, & fines for alienations saved.

3 All and singular person and persons, hauing any manors, lands, tenements, or hereditaments, of estate of inheritance, holden of the Kings highnesse in chiefe by knights service, or of the nature of knights service in chiefe, shall haue full power and authoritie by his last Will by writing, or otherwise, by any Act or Acts lawfully executed in his life, to giue, dispose, will, or assigne two parts of the same lands, &c. in thre parts to be diuided, or else as much of the said lands, &c. as shall extend or amount to the yearly value of two parts of the same in thre parts to be diuided in certaintie, and by speciall diuisions, as it may be knowne in feueralltie, to, and for the aduancement of his wife, preferment of his children, and payment of his debts, or otherwise at his pleasure: any Law &c. notwithstanding. Sauing and reseruing to the King the custodie, wardship, and primer seisin, or any of them, as the case shall require, of as much of the same lands, &c. as shall amount and extend to the full and cleare yearly value of the third part thereof, without any diminution, dolwer, fraud, couin, charge, or abridgment of any of the same third part, or of the full profits thereof. Sauing also to the King &c. all fines for alienations, of all such lands, &c. holden of the King by knights service in chiefe, whereof there shall be any alteration of scéhold, or inheritance, made by will, or otherwise, as is abouesaid.
32.H.8.1.

Lands holden of the K. in chiefe by knights service.

wardship, primer seisin, & fines for alienations saved to the King.

4 All and singular person and persons, hauing manors, lands, tenements, or hereditaments, of estate of inheritance, holden of the King in chiefe by knights service;

Wils and Testaments.

Lands holden
in chiefe, and
other lands
holden by kn.
service.

Wardship,
primer seisin,
fines for alien-
ations saved
to the king.

Certain lands
holden onely
of common
persons by
knights ser-
vice, and other
in socage.

The Lords
wardship of
the third part
saved.

Certain lands
holden of the
king and cer-
tain of others
by knights
service, and
other lands
holden of o-
thers in so-
cage.

The king
and other
Lords this
part saved.

service, and having other lands, &c. holden of the k. or of any other person or persons, shall have full power to give, dispose, will, or assigne by his last Will in writing, or otherwise, by any act or acts lawfully executed in his life, two parts of the same lands, &c. in three parts to be divided, or else so much of the same lands, &c. as shall extend to the yearly value of two parts, of the same in three parts to be divided in certaintie and by speciall divisions, as it may be knowen in feueraltie, to and for the advancement of his wife, preferment of his children, and payment of his debts, or otherwise at his pleasure: any law or laws notwithstanding. Saving to the king the custodie, wardship, and primer seisin, or any of them, as the case shall require, of as much of the same lands &c. as shall amount and extend to the full and cleere yearly value of the third part thereof, without any maner diminution, dowter, fraud, couin, charge, or subtraction of the same third part, or of the full profits thereof. Saving alway and reserving to the king all fines for alienation of any such lands &c. holden of him by knights service in chiefe, whereof there shall be any alteration of freehold or inheritance, made by Will or otherwise, as is abovesaid. 32. H. 8. 1.

5 If any person or persons, hold any manors, lands, tenements, or hereditaments onely of any other Lord or person, then of the king by knights service, and other lands &c. in socage, or of the nature of socage tenure, then euerie such person shall or may give, dispose, or assure by his last will, or otherwise, by any act or acts lawfully executed in his life, two parts of the said lands &c. holden by knights service, or of as much thereof as shall amount to the full yearly value of two parts, in manner and forme as is aboue declared, and also all the lands and tenements holden by socage, or of the nature of socage tenure at his will and pleasure, as is aboue written. Saving to the Lord of the lands and tenements holden by knights service, for his custodie and wardship, as much of the same lands and tenements as shall amount to the full and cleere yearly value of the third part of the same lands and tenements holden by knights service, without any diminution, dowter, fraud, couin, charge, or subtraction of any portion of that third part, or of the cleere yearly value thereof, in manner and forme abovesaid. 32. H. 8. 1.

6 If any person or persons hold any manors, lands, tenements or hereditaments, onely of the king by knights service, and not in chiefe, or hold any lands &c. of our said Soueraigne Lord by knights service, and not in chiefe, and also hold other lands &c. of any other person or persons by knights service, and also hold other lands &c. of any other person or persons in socage, or of the nature of socage tenure: Then all and euerie such person and persons shall and may give, dispose, will, demise, and assure by his last Will, or otherwise, by any act or acts lawfully done or executed in his life, two parts of the same lands &c. holden of the king by knights service, and two parts of the same lands &c. holden of any other person or persons by knights service, or as much of either of them, as shall amount to the full yearly value of two parts, in manner and forme as is aboue declared, and also of all his lands and tenements so holden in socage, or of the nature of socage tenure, at his free will and pleasure. Saving and reserving to the king the custodie and wardship of as much of the said lands &c. as shall extend and amount to the full cleere yearly value of the third part of the said lands &c. so holden of him by knights service, without any diminution, dowter, fraud, couin, charge or subtraction of any portion of that third part, or of the full profits thereof. And also saving to the Lord of whom any of the said lands &c. be holden by knights service, for custodie and wardship, as much of the same lands &c. holden of them, or any of them by knights service, as shall extend and amount to the cleere yearly value of the third part of the same, without any diminution, charge, fraud, couin,

or subtraction of any portion of that third part, or of the cleere yerely value of the third part thereof, in maner and forme aforesaid. 32.H.8.1.

7 If that third part of the manors, lands, tenements, or hereditaments which in any of the cases abovesaid, shall come to the king, his heires &c. by vertue of this act, as is abovesaid, be not, or doe not amount to the cleere yerely value of the full third part of all the said lands &c. whercof the king is or shall be intituled to have the custodie or primer seisin, as is abovesaid: Then our said Soueraigne Lord and his heires, shall and may at his or their free libertie, take into his or their hands and possession, as much of the other two parts of the said lands &c. as with that of the same lands &c. remaining in his hands, shall make up the cleere yerely value of the full third part of the said lands &c. so to be had to the king in title of wardship and primer seisin, or any of them, as the case shall require. And like benefit and advantage shall be ginen to every Lord and Lords of whom any such lands &c. bin or shall be holden by knights service, as is abovesaid, concerning onely his third part, of, or for title of wardship. 32.H.8.1.

The king or other Lord may take so much as will make up the full third part

8 Euerie person and persons shall sue their lueries for possessions, reuerfions, or remainders, and also pay reliefes and heriots, after such maner and forme, as they should or ought to haue done before the making of this Act, and as if this Act had neuer been made. And fines for alienations shall bee paid in the Kings Chaucery, for and upon writs of Entrie in the Post, to be obtained in the same Court for common recoveries to be had or suffered of any Manors, Lands, Tenements, or Hereditaments holden of the king in chiefe, in like manner and forme as is used upon alienations of such Lands &c. so holden in chiefe by fine or feoffment. But in such cases where fines for alienations shall bee paid in the Chaucerie for writs of Entrie in the Post, as is aforesaid, then none other fine shall be payed in the same Court for any such Writs: any usage &c. notwithstanding. 32.Hen.8.1.

Swing of Luerie.

Fines for alienations upon common recoveries.

9 Sauing to all and euerie woman and women, all & euerie such right, title, and interest of dowter, as they or any of them ought to haue, or shall be iustly intituled to haue, claime, or demand of any manors, lands, tenements, or hereditaments, by the Lawes of this Realme, to be taken or assigned to them, or any of them, out of the two parts of the said lands &c. seuered and diuided from the third part, as is abovesaid, and not otherwise. And sauing also to the k. his heires and successors, the reuerfions of all such tenants in ioint tenure and dowter, immediatly after the death of such tenants, if they shall happen to die during the minority of the kings ward. 32.H.8.1.S.Wardes 25.

The womans title of dowter in the two parts sauid.

The reuerfion after tenant in dowers death

10 Where it is contained in the same Statute of 32.H.8. within diuers branches of the same, That all and singular person and persons hauing any manors, lands, tenements, or hereditaments, of estate of inheritance, should haue free libertie to giue, will, dispose, or assigne, aswell by his last Will and Testament in writing, or otherwise, by any act or acts lawfully executed in his life, his manors, lands, tenements, or hereditaments, or any of them in such maner and forme, as in the same Act it doth appeare, which words of estate of inheritance by the authoritie of this Parliament, are and shalbe expounded, taken, and iudged of estates in fee simple onely. 34.H.8.5.

The exposition of the aforesaid stat. of 32.H.8.

The stat. extendeth onely to fee simple lands.

11 All and singular person and persons, hauing a sole estate or interest in fee simple, or seised in fee simple in coparcenary, or in common in fee simple, of, and in any manors, lands, tenements, rents, or other hereditaments in possession, reuerfion, or remainder, or of rents, or seruices, incident to any reuerfion or remainder, and hauing no manors, lands, tenements, or hereditaments, holden of the king &c. or of any other person or persons by knights service, shall haue full and free libertie, authoritie, and power, to giue, will, dispose, or deuise, to any person

Sole tenant, tenant in common, & coparcenary in fee, of lands in possession, in reuerfion, or remainder.

Wils and Testaments.

Devising of
rent or com-
mon out of
lands.

son or persons (except bodies politike and corporate) by his last Will and Testament, in writing, or otherwise, by any act or acts lawfully executed in his life, by himselfe only, or by himselfe and other jointly, severally, or particularly, or by all those waies or any of them, as much as in him of right is, or shall be, all his said lands &c. or any of them, or any rents, commons, or other profits or commodities, out of, or to be perceived of the same, or out of any parcell thereof, at his owne free will and pleasure: any clause in the said former Act notwithstanding.

Certaine
lands holden
of the King by
knights ser-
vice in capite,
and other of
other persons.

34 H.8.5. 12 All and singular person and persons, having a sole estate or interest in fee simple, or seised in fee simple in coparcenarie, or in common in fee simple, of, or in any manors, lands, tenements, rents, or other hereditaments, in possession, reversion, or remainder, holden of the King by knights service in chiefe, or of the nature of knights service in chiefe, hath and shall have full and free libertie, power, and authoritie, to give, dispose, will, or assigne to any person or persons (except bodies politike and corporate) by his last will and testament in writing, or otherwise, by any act or acts lawfully executed in his life, by himselfe only, or by himselfe and other jointly, severally, or particularly, or by all those waies, or any of them, as much as in him of right is, or shall be, two parts aswell of all the said lands &c. as of all and singular his other rents & hereditaments, or of any of them, or any rents, commons, or other profits or commodities, out of, or to be perceived of the same two parts, or out of any parcell thereof, in thre parts to be divided, or as much thereof as shall amount to the full & cleere verely value of two parts thereof, in thre parts to be divided, of what person or persons sooner they be holden, at his free will and pleasure. And the said Will so declared, shall be good and effectual for two parts of the said lands &c. although the Will so declared be made of the whole, or of more then of two parts of the same. The same division to be made and set forth by the devise, or owner of the same lands &c. by his last Will in writing, or otherwise in writing. And in default thereof, by a Commission to be granted out of the kings court of Wards and Liveries, upon the inquirie of the true value thereof, by the othes of ry. men, and returne or certificat thereof had in the same Court of the said lands &c. division to be made by the Waster of the Wards and Liveries, if the said Waster & the parties thereunto cannot otherwise agree upon the same division. And the issues and profits of the two parts of the same lands &c. upon everie such division to be restozed to them that shall have right or title to the same, from the death of the owner or devisee thereof. 34. H.8.5.

Division of
the lands.

Certaine
lands holden
of the King or
others by
knights ser-
vice and cer-
tain in socage.

13 All and singular person and persons, having a sole estate or interest in fee simple, or seised in fee simple in coparcenarie, or in common in fee simple, of, and in any manors, lands, tenements, rents, or other hereditaments in possession, reversion, or remainder, or of and in any rents or services incident to any reversion, or remainder, holden of the King &c. by knights service, and not in chiefe, or holden of any other person or persons by knights service, shall have full and free libertie, authoritie, and power, to give, dispose, will, or devise to any person or persons (except bodies politike or corporate) by his last Will and Testament in writing, or otherwise, by any act or acts lawfully executed in his life, by himselfe only, or by himselfe and other jointly, severally, or particularly, or by all those waies, or any of them, as much as in him of right is, or shall be, two parts of all the said lands &c. or of any of them so holden by knights service, or any rents, commons, or other profits or commodities, out of, or to be perceived of the same two parts, or out of any parcell thereof, in thre parts to be divided, or as much thereof as shall amount to the full and cleere verely value of two parts thereof, in thre parts to be divided, at his free will and pleasure. And the said will so declared, shall be good and effectual for two parts of the said lands &c. although the

Will made
of the whole
shall be good
for two parts.

the Will so declared, be oꝛ shall be made of the whole Lands &c. so holden by knights service, oꝛ of moze then of two parts of the same, and also so: the whole of all other such lands &c. oꝛ any of them, not holden of the king by knights service in chiefe, oꝛ otherwise by knights service, oꝛ of any other person by knights service, and of any rents, commons, oꝛ other profits oꝛ commodities, out of, oꝛ to be perceived of the same, oꝛ out of any parcell thereof, at his free will and pleasure. The same division to be made and set forth by the owner of the said lands &c. by his last Will in writing. And in default thereof, so: as much of the same lands &c. as shall concerne the Kings interest, by commission to be directed out of the Kings court of wards and liveries, in maner and soyme aforesaid, if the said master of the wards &c. & the parties thereunto cannot otherwise agree upon the same division. And restitution of the issues & profits of the two parts thereof shall be had & made in maner and soyme aforesaid. And so: such of the same lands &c. as shall concerne the interest of any other Lord oꝛ Lords, by commission to be granted out of the Chancery, to enquire thereof by the othes of ry. men, if the same Lord oꝛ Lords, and the parties thereunto cannot otherwise agree upon the same division. 34. H. 8. 5.

14 The savings, reservings, and provisions, concerning saving of the custodie, wardship, reliefe, primer seisin to the King, of such manors, lands, tenements, and hereditaments, oꝛ as much thereof as shall appertaine unto him by vertue of these two Acts, during the Kings interest therein: And also of the custodie and wardship to other Lords of as much of such Lands &c. holden of them as shall amount and extend to the cleere yearly value of the third part thereof above all charges, without any diminution oꝛ abridgement of the third part, oꝛ of the full profits thereof, comprised in diuers articles in the said former Act of 32. H. 8. contained, be and shall be expounded, and taken as hereafter ensueth, viz. The king shall haue and take so: his full third part of all such manors, lands, tenements, and hereditaments, whereunto he is oꝛ shall be intituled by the said former Act, and by this Act, such lands &c. as shall by any meanes descend, oꝛ come by descent, aswell of estate of inheritance, in fee taile, as in fee simple, oꝛ in fee taile onely, to the heire of any such person that shall make any Will, gift, disposition, oꝛ devise, by his last Will in writing, oꝛ by any act oꝛ acts lawfully executed in his life, immediately after the death of the same deuiseoꝛ oꝛ owner thereof. And the will, gift, and devise of euerie such deuiseoꝛ oꝛ owner, of, and so: the two parts of the said lands &c. residue, shall be and stand good and effectuell in the Law, albeit the same will, gift, oꝛ devise be had and made of all his fee simple lands &c. oꝛ of the moze part thereof. And in case the same Lands &c. which after the death of any such owner oꝛ deuiseoꝛ, which shall make any such gift, disposition, oꝛ devise by his last Will in writing, oꝛ otherwise by any act oꝛ acts lawfully executed in his life, to his wife, children, oꝛ otherwise as is aforesaid, which shall immediately after his death descend, reuert, remaine, oꝛ come to his heire oꝛ heires, aswell of estate of inheritance in fee taile, as of estate in fee simple, oꝛ fee taile onely, be not oꝛ shall not amount oꝛ extend to the full cleere yearly value of the third part, with the full profits thereof, of all the said Lands &c. of the said deuiseoꝛ oꝛ owner, according to the true intent of the said former Act, and of this Act: then the King shall and may haue and take into his hands and possession to make vp his full third part, with the full profits thereof, according to his interest therein, as much of the other Lands &c. willed, given, disposed, oꝛ assigned by any such person to his wife, child, oꝛen, oꝛ otherwise as is aforesaid, as with such of the same Lands &c. descended, oꝛ by any means come unto the heire (as heire of any such deuiseoꝛ oꝛ owner) shall make vp the cleere yearly value of the said full third part, with the full profits thereof, of all the said Lands &c. of euerie such owner oꝛ deuiseoꝛ so to be had to the King in title of wardship oꝛ primer seisin, as the case shall require. And the division

An exposition of the savings, reservings, & provisions made in these two Acts.

A remedy, where a full third part is not left.

Wills and Testaments.

tion thereof to be had and made, and with the restitution of the profits of the two parts of the said lands &c. in such manner and forme as is aboue rehearsed. And like benefit and aduantage shall be giuen, had, and taken to euery Lord and Lords, of whom any such lands &c. be: or shall be holden by knights service in maner and forme abouesaid, concerning onely his or their third parts thereof, according to their said interest therein. 34.H.8.5.

**A remedy, if
the third part
be euicted.**

15 If it happen the same third part, or any part thereof, left, willed, or assigned to the King, or other Lord, at any time during their interest therein, to be lawfully euicted or determined: Then the King and the other Lord shall haue as much of the two parts residue, as shall accomplish and make by a full third part in cleere yearly value, after the rate and portion of such Lands &c. as shall then remaine of the same third part not euicted or determined, and of the other two parts of such Lands &c. as the King or other Lord should or ought to haue had by vertue of the said former act, and this act, and the same to be diuided in forme aboue rehearsed: any clause in the said former act of 31.H.8. notwithstanding &c. 34.H.8.5.

**A pardon of
alienation must
be sued by
those to whom
lands holden
in Capite be
deuised.**

16 The saving and reseruing for fines for alienations by any such last Will and Testament of such lands &c. holden of the king by knights service in chiefe, or of the nature of knights service in chiefe, or by Socage in chiefe, or of the nature of Socage tenure in chiefe, or for fines for alienation of such lands &c. wher of there shall be any alteration of feehold, or inheritance made by any such last Will comprised in sundrie Articles mentioned in the said former Act, be, or shall be, intended and iudged, that all such person or persons to whom the said lands &c. or any of them be, or shall be giuen, disposed, willed, or deuised by any such last Will, shall be exonerated, acquitted, and discharged for ever against the King, his heires and successours, for all such fines for alienations, by any such last Will or Testament, without licence, by suing forth of the kings pardon for alienation out of the Chancery, paying to the king, his heires or successours, for the fine of euery such alienation, the third part of the yearly value of the same manors, lands, tenements, or other hereditaments to him or them willed or deuised. And this Act from time to time shall be a sufficient warrant to the Lord Chauncello or keeper of the great Seale for the time being, for the granting out of the said pardons vnder the great Seale, as heretofore hath bin vsed for pardons for alienations without further suit to the King &c. 34.H.8.5.

**women co-
nert.
Infants.
Idots.
Lunatickes.
Contribution
for any lands
taken away.**

17 Wills or Testaments made of any manors, lands, tenements, or other hereditaments, by any woman conert, or person within age of xxi. yeares, Idiot, or by any person De non sana memoria, shall not bee taken to be good or effectuell in the Law. 34.H.8.5.

18 All and euery person and persons, from whom the King or other Lord or Lords shall take any lands &c. for his or their full third part, or to make by his or their full third part, shal and may in any of the cases abovesaid, vpon his or their bill exhibited in the Chancery against all and euery such person and persons which shall be intituled, by or vnder any such will, gift, disposition or deuise, to the other two parts, haue such contribution, or recompence for the same, as by the Chancelor of England, or by the keeper of the great Seale for the time being, shall be thought good. 34.H.8.5.

19 But this Act and explanation doth not extend to the will or deuise of Sir Iohn Gaynford, Sir Peter Filpot, Richard Creswell, or of Thomas Vnton, or shall be hurtfull to any persons concerning any lands, hereditaments &c. contained and specified in any of the said willes or deuises, but the said Willes and euerie of them, shall remaine in the same effect to all intents as they were befoze. 34.H.8.5.

20 All widows may bequeath the crop of their grounds, aswel of their dowers, as of other their lands and tenements: Saving to the Lords of the fee, all such services as be due for their dowers and other tenements. Merton 20.H.3.2. widows may bequeath their crop.

21 In case any Incumbent happen to die, and before his death hath caused any of his Glebe lands to be manured and sowed at his proper costs with any Cozne: then everie such Incumbent may make his Testament of all profits of the cozne growing upon the same glebe lands so manured and sowed. 28.H.8.11. Incumbent may bequeath the crop of his glebe.
S.Ecclesiasticall 30.

1 For the prouing of Wils, committing administration, the Ordinarie and his ministers fees, & their duties therefore. S.Probate of Testaments.

2 Fraudulent Wils to defeat the Lord of wardship, or other aduantages. S.Wards 24.

Wines.

The Lord Chancelor, the Lord Treasurer, Lord President of the Council, Lord Justice Deale, and the two chiefe Justices of either bench, or five, four, or three of them, haue authoritie by their discretions, to set the prices of all kind of Wines, viz. of the prices of the Butt, Tunne, Pipe, Hoghead, Buncheon, Tierce, Barrell, or Kunit, when it shalbe sold in grosse, so that they or any of them cause the prices by them set to be written, & open proclamation thereof to be made in the Chancerie openly in the Terme time, or else in the Citie, Borough, or Towne, where any such wines shall be sold in grosse. 28.H.8.14. And by the Statute of 37.H.8.23. the said persons shall yearly set the prices of all kind of wine, mentioned in the foresaid Act, betwene the xx. day of November, & the last of December, and at no other time. S.5.Ed.6.17. & the said statute of 37.H.8. and Quere Quere.
if this last part of the Wyaunch remaine in force.

2 If any person after such prices be set and put in writing by the said Lords, or by five, four, or three of them, and proclamation thereof had (as aforesaid) doe sell any Wines in grosse, by any couin, contrarie to the said prices so set and proclaimed, then he shall forfeit for every vessel by him sold in grosse, contrarie to the said prices xl.s. the one halfe to the King, and the other halfe thereof (if it bee in any Citie, Borough, or Towne Corporat) to be to the Mayo, Sherifes, Baylives, or other head rulers thereof, and if it bee without citie, &c. then to be to the King and J. &c. to be recovered by A.J. &c. wherein no W.C. p. &c. 28.H.8.14. S. Justice of peace 94.

Prices of wines shalbe assessed by the chiefe Magistrates.

The first of them which sell wines in grosse contrarie to the prices assessed.

3 Everie Merchant and other person which shall haue wines to be sold, and refusing to sell or deliver, or not selling any of the same wines for ready money, therefore to be paid, according to the price thereof then being set, shall forfeit the value of the wine so required to be bought, to the King and J. to be recovered by A.J. &c. wherein no W.C. p. &c. 24.H.8.6.

Denying to sell wines at the prices assessed.

4 It shall be lawfull to all and singular Justices of Peace, Mayo, and other head Officers, in Shires, Cities, Boroughes, and Townes, and in other places of this Realme within the precincts of their Offices, at the request of any of the Kings subiects to whom any denier of sale, or from whom any restraint of sale of any such Wines shall be made, and full payment thereof without delay offered to be made, according to the prices then set by the foresaid Lords and Justices &c. to enter into the houses, cellars, and other places where such wines shall lie, and to sell, and to deliver the same desired to be bought, to the person requiring to buy the same, taking of the buyer thereof, to the use of satisfaction of the forfeiture aforesaid, after the rate of the prices thereof set, as is aforesaid. 24.H.8.6. S.37.H.8.23. somewhat like the matter, and Quere if it remaine in force. 5.Ed.6.17.

where Just. of peace or other officers may sell other mens wines.

Wines.

He that keepeth wine to spend in his house or to retail, shall not be forced to sell it.

5 If at the time of any such sale of wine purposed to be made, the Merchant vintner, or other owner thereof, do truly shew to the said Justice or head Officer purposing to make the said sale, what, and how much wine he then shall have, and depose upon his bodily oath, to be made and given by the discretion of the same Justice or head Officer, that he keepeth the same wines, to the intent onely to drabe and expend the same in his house by retails, or otherwise, and not to sell any of them in grosse: Then the same Merchant, or Owner, shall keep the same wines without any sale, and without any forfeiture for refusall or restraint of sale thereof. And in case that after such oath the same owner do sell the same wines, or any of them in grosse, viz. by the Tun, But, Tierce, Pipe, Hogshed, Barrell, or Rundlet, he shall forfeit the double value of all such Wines so sold in grosse, to the King and J. to be recovered by A. C. wherein no W. C. P. 24. H. 8. 6.

None shall retails wines but in market Townes, &c.

6 It shall not be lawfull to any person within any of the Kings Dominions of England or Wales, to keep any Taverne, or to sell, or utter by retails by the gallon, or lesse, or greater measure, in any place, any of the said Wines, within any of the said Dominions, except it be in Cities, Townes corporate, Boroughes, Port Townes, or Market Townes, or in the Townes of Grauesend, Sittingbourne, Lurford, and Bagshot, upon paine that euery person that shall so offend, shall forfeit for euery day so offending, s. l. to the King and J. to be recovered by A. J. C. wherein no W. C. P. 7. Ed. 6. 5.

Vintners in corporate townes assigned by the head officers.

7 It shall not be lawfull to any person or persons, to keep any Taverne, or sell, or utter by retails, by the gallon, or lesse, or greater measure, in any Citie, Borough, or towne corporate, any manner of Wines, but onely such person and persons as shall be thereunto nominated and assigned by the head Officers, and the most part of the common Counsell, Aldermen, Burgesses, Jurates, or Commynaltie of such Citie, Borough, &c. where such person or persons shall taverne, sell, or utter wine by retails, as is aforesaid: The said nomination and assignement to be made by writing vnder the common Seale of such Citie, Borough, &c. and shall continue in their force, or be changed, at the election and pleasure of the head Officer or Officers, and the most part of the Common Counsell, Aldermen, Burgesses, Jurates, or Commynaltie, for the time being of such Citie and Borough, &c. by writing, and vnder such common Seale, as is aforesaid. And it shall be lawfull to any person or persons to keep any Taverne, or to sell, or utter any wine by retails, as is aforesaid, in any Citie, Borough, Port Towne, or Market Towne, not corporate, within England or Wales, or in the said Townes of Grauesend, Sittingbourne, or Bagshot, but onely such person or persons as thereunto shall be nominated and appointed, by all, or the most part of the Justices of Peace of such Countie where such Taverne or selling of wine by retails shall be allowed, as shall be present at the generall Sessions for the time being, holden within euery of the said Counties, the said appointment to be had and made in full Session, by writing vnder the severall Seale of euery of the said Justices, and to be continued, altered, or changed, in like forme, and by like authoritie, as is last aforesaid, upon paine, that euery person that shall sell or retails any Wine, being not thereunto licenced and authorized, as is aforesaid, shall forfeit for euery day that hee shall so offend, v. l. to the King and J. to be recovered by A. J. C. wherein no W. C. P. 7. Ed. 6. 5.

Vintners in Townes not corporate assigned by Justices of peace

How many Tavernes may be appointed in euery Citie or Towne.

8 No person or persons having authoritie by this Act to nominate or assigne what persons shall Taverne, utter, or sell wine by retails, as is aforesaid, shall appoint by his or their writing any greater number of Tavernes, or Wine-cellars, then two, by retails to sell, or utter wine, or keep or continue any Taverne at any time in any one Citie, Borough, Towne corporate, port towne, or market towne, or in Grauesend, Sittingbourne, or Bagshot (all and euery such Citie and townes here,

hereafter expressly named, onely except) And it shall not be lawfull to appoint by writing in the Citie of London to sell oꝝ vtter wine by retails, at any time, aboue the number of 40. Tauerne, oꝝ Wine cellers, and in Poꝝke 8. in Doꝝwich 4. in Westminster 3. in Bystow 6. in Lincolne 3. in Kingston vpon Hyl 4. in Shetwobury 3. in Excester 4. in Salisburie 4. in Gloicester 4. in Westchester 4. in Hereford Cast 3. in Worcester 3. in Southhampton 3. in Canterburie 4. in Ipswich 3. in Winchester 3. in Orford 3. in Cambridge 4. in Colchester 3. in New castle vpon Tyne 4. Tauerne oꝝ Wine-cellers, vpon paine, that every person authorized by this Act to assigne Tauerne oꝝ Wine-cellers, to foꝝt. foꝝ every nomination oꝝ appointment by him made, contrarie to the forme of this Act. v. l. to the King and J. to be recovered by A. J. wherein no W. C. P. 4c. 7. Ed. 6. 5.

9 No person shall sell oꝝ vtter by retails any kind of wine to bee drunk oꝝ spent in his mansion house, oꝝ other place in his tenure, oꝝ occupation, by any colour, craft, oꝝ meane, vpon paine to foꝝfeit foꝝ euery such offence x. l. to the King and J. 4c. to be recovered by A. J. wherein no W. C. P. 4c. 7. Ed. 6. 5.

10 This Act shall not extend to charge any person with any penaltie oꝝ forfeiture concerning any offence to bee done contrarie to the tenoꝝ thereof, vntill the offender be sued, indicted, oꝝ presented foꝝ the same, within one yeare next after the same offence committed. 7. Ed. 6. 5.

11 This Act shall not be pꝛeiuicall to any of the Universities of Orford and Cambridge, oꝝ to the Chauncelloꝝ oꝝ Schoollers of the same, oꝝ their successoꝝ, oꝝ any of them, to impaire, oꝝ take away any of the pꝛiuiledges, franchises, oꝝ authorities to them, oꝝ any of them belonging, but they, and euery of them, and their successoꝝ, may haue, vse, and enioy all their pꝛiuiledges, franchises, &c. so that there be not any greater number of Tauerne kept within any of the said towne of Orford and Cambridge, then may be lawfully kept by the pꝛouision of this statute. 7. Ed. 6. 5. S. Iustice of peace 9. l. Lectes 13.

12 A day shall be made of Wines twice euery yeare, once at Easter, and an other time at Michaelmas, and moꝝe often it neede be, by the Loꝝds of the towne, and their Bailifes, and also by the Maiors & Bailifes of the same Townes, and all wines that shall be found corrupt, shall be poured out, and the vessels broken. And the Chanceloꝝ and Treasoꝝers, Iustices of the one Bench, and the other, and Iust. of Assise, haue power to enquire of the Maiors, and ministers of Townes, if they doe not according to this statute, and besides that, to punish them as reason shall require. 4. Ed. 3. 12.

13 No Marchant, noꝝ other person, shall bring, oꝝ cause to be brought into this Realme, any But of Palmesey to be sold, vntill it doe containe in measure at the least 126. gallons. Noꝝ no maner of vessels, with any maner of Wines, whose soeuer they be, oꝝ of what Countrie soeuer they be, noꝝ no maner of vessels of Dyle, vntill the same vessels of Wines oꝝ Dyle doe containe the measure and assise following, viz. Cuery Tunne to containe 252. gallons, euery Pipe 126. gallons, euery Tercian, oꝝ Punction 84. gallons, and euery Hogshed 63. gallons, and euery Tierce, 41. gallons, and euery Barrell 31. gallons and demy, and euery Rundlet to containe 16. gallons and demy. And the vessels of Wine and Dyle brought into this Realme to be sold, shall not be put to sale, vntill they be well and truly gauged by the Kings Gaugeoꝝ, oꝝ his sufficient deputie, vpon paine to foꝝt. to the R. all the said wines & oyles sold contrarie to this ordinance, oꝝ the value of the same. 2. H. 6. 11. 18. H. 6. 17. 1. R. 2. 13. 28. H. 8. 14. S. 14 R. 2. 8. that no person shall be impeached foꝝ not gauging of Rensh wines, & Q. Cuery Tunne, Pipe, Tercian, and other vessels afoꝝesaid, of Honey, shall containe the quantitie afoꝝesaid, and be gauged, in maner and forme afoꝝesaid, vpon the paine afoꝝesaid limited. And euery Gaugeoꝝ shall haue foꝝ his labour foꝝ the gauging of euery

W h h h y

Tunas

No man shall
retail wine to
be spent in his
house.

Within what
time the foꝝt.
shall be taken.

The libertie
of Cambridge
and Orford
reserved.

Wines that be
assised, & the
corrupt pour
ed out.

The contents
of each vessell
of wine.

All vessels of
wine and oyle
shall be gau-
ged.

The contents
of a vessell of
Honey.

Wines. Witnesse.

Tunne and Pipe of Dyle and Hony, as he taketh for euerie Tunne and Pipe of Wine, and for euerie Tertian & Hogshed after the rate. 18. H. 6. 17. See Waxe and Honey & his assise somewhat altered for honey.

The Gauge
is for if the
vessel lacketh
his content.

14 Euerie Gauge within this Realme, shall truly and effectually within the limits of his office, gauge all the said Tunnes, Buts, Pipes, Tierces, Pun- chions, Tercians, Barrells, Hogheads, and Kundles, & shall plainly and truly marke vpon the head of euerie such vessel the content of the same, vpon paine to forfeit to the partie, to whose vse the Wine, Dyle, or other thing therein beeing shall be sold, foure times the value of that which the vessel so marked shall lacke of his lawfull content abovesaid: The same forfeiture to be recovered ouer and a- boue the costs of the suit, by the kings original writ, or by bill, in any of the kings Courts of his Common Lawes, or in any competent Court, hauing iurisdiction in the place where that offence shall be committed, by A. 2. B. of debt, wherein no W. C. P. &c. And euerie person selling the said Wine, Dyle, or other thing con- tained in the said vessel marked, shall allow the price thereof to the buyer of the same for euerie quantitie of Wine, Dyle, or other thing contained in the said mar- ked vessel, the full value of the lacke thereof, being by reason of default of full gauge of the vessel marked, or of default of filling of the same vessel, after the rate of the whole price of the Wine, Dyle, or other thing so being sold by the vessel marked, vpon paine of forfeit to the same buyer, the double value of the same vessel, and wine, dyle, or other thing therein, beeing so sold, the same forfeit to be recovered together with the costes of the suit, in forme abovesaid. 28. H. 8. 14. 1. R. 3. 13. 18. H. 6. 17. 27. Ed. 3. 8. 23. H. 6. 16.

How he shall
be recompen-
ced, which
lacketh his
measure.

1 Merchants Aliens shall carie no Wines out of the Realme, but shall sell them here in grosse. S. Merchants 1.

2 In what vessels any French Wines may be brought into this Realme. See Ships 4. 6.

3 What custome or subsidie shall be payed for sweet Wines brought in. See Custome 5.

Witnesse.

A witnesse
upon proces
serued, &c. shall
appeare.

If any person, vpon whom any Proces out of any of the Courts of Record, within this Realme, or Wales, shall be serued to testifie, or depose, concerning any matter depending in any of the same Courts, and hauing tendered to him, ac- cording to his countenance or calling, such reasonable summes of money for his costes and charges, as (hauing regard to the distance of the places) is necessarie to be allowed in that behalf, doe not appeare, according to the tenor of the said Pro- ces, hauing not a lawfull and reasonable let to the contrarie: When the partie making default, shall forfeit for euerie such offence 1. pounds, and shall yeld such further recompente to the partie grieved, as by the discretion of the Judge of the Court, out of the which the said proces shall be awarded, according to the losse and hinderance, that the partie which procured the said Prozesse, shall sustaine, by reason of the non-appearence of the said witnesse: The said severall summes to be recovered by the partie so grieved, against the offendor, by A. 3. B. P. &c. in any of the Quenes Courts of Record, wherein no W. C. P. &c. 5. Elizab. 9. 29. Eliz. 5.

Proces as-
gainst the
witnesse of a
died denied.

2 When a dard, release, acquittance, or other writing is denied in the Kings Court, wherein witnesses be named, proces shall be awarded, to cause such wit- nesses to appeare, so that if none of them come in at the great distresse returned, or if it be returned, that they haue nothing, or that they cannot be found, yet the ta- king of the Enquest shall not be deferred by the absence of such witnesses. And if the

the witnesses do come in at the great distresse, and the enquest for some cause remaine untaken, the witnesses that come in, shall have like day given them, as is assigned for the taking of the Enquest: at which day, if the witnesses doe not appear, the issues that were first returned upon them, shall be forfeited, and the taking of the Enquest shall not be deferred, because of their absence. And for absence of witnesses dwelling within franchises, where the Kings writ originall doth not lye, the taking of an Enquest shall not be deferred. 12. Edw. 2.2. See Trial 9.

The penaltie for procuring any witness to commit wilfull Perjurie, or being a witness to commit wilfull perjurie. S. Perjurie 1.2.

Woods.

And upon all and singular severall Woods, commonly called copie woods, or underwoods, which shall be felled at xiiij. yeares growing, or under, there shall be left standing and unfelled for everie acre of Wood, that shall be felled within the said copie, xij. standils, or Rojers of Dke, and if there be not so many standils of Dke, then there shall be left so many of other kind, viz. of Elme, Ash, Aspe, or Birch, as shall make the said number of xij. likely to be timber trees, the same to be of such standils, as have been left there standing at any felling of the same wood, &c. in time past. And in case there be no such Rojers there standing, which were there left at the last felling of the same woods: then the same standils shall be left at the next felling of the said woods &c. of such most likeliest Dkes, and if there be not sufficient of Dkes, then of the most likeliest Elmes, Ash, Aspe, or Birch, to prove timber trees, as shall grow within any such severall woods, copie, or underwoods. And the same standils so left, shall be preserved and not felled, till everie of them shall be of ten yches square, within thre foot of the ground, upon paine, that everie owner of every such standils, having an estate of inheritance, or for terme of life, of freehold, or by Copie of Court Roll, or for yeares, in that ground where the same standils shall grow, causing any such woods to be felled, and not leaving the said Rojers there standing in forme aforesaid, to forfeit for everie standill so not left standing in the said woods &c. iij. s. iij. d. and upon paine, that everie owner, as is aforesaid, of any such woods, &c. causing any of the said standils so left, to be cut downe, contrarie to the forme of this Act, to forfeit for everie of the said standils, which shall be cut downe, iij. s. iij. d. to the King and J. to be recovered by A. J. B. P. &c. wherein no W. C. P. &c. 35. H. 8. 17. 13. El. 25.

2 All and singular copie and underwoods, which shall be felled at xiiij. yeares growth, or under, and not being above the said age, from and after the 20. day of Aprill, next after the felling thereof, during the terme of sixe yeares, then next ensuing, shall be sufficiently inclosed, or the springs thereof otherwise saved from destruction by any manner of cattell, by him which then shall have lawfull interest and possession in the said woods, &c. upon paine of every person so bounden to inclose or preserve the said woods, to forfeit for everie Acre thereof, so not inclosed, or preserved, during the said vij. yeares, iij. s. iij. d. for everie moneth that the same woods shall be inclosed, or not so preserved. &c. 35. H. 8. 17. 13. El. 25.

3 All and singular copie, or underwoods, which shall be felled, being above the age of fouretene yeares growth, and not above the age of xiiij. yeares growth, from the 20. day of Aprill, next after the felling thereof, during the terme of viij. yeares, next ensuing the same 20. day of Aprill, shall be sufficiently inclosed, or the springs thereof otherwise preserved from destruction by any manner of cattell, by such, which then shall have lawfull interest and possession in the said woods, &c. upon paine of everie person so bound to inclose or preserve the said woods, to forfeit

There shall be xij. standils left in an acre of Wood at the felling thereof.

How long the standils left shall remaine unfelled.

Woods felled at, or under xiiij. yeares growth, shall be preserved by yeares

Woods felled above xiiij. yeares growth & under xiiij. shall be preserved by yeares

feit for everie wood not so inclosed or preserved, during the said eight yeares, iij. s. iij. d. for everie moneth that the same woods shall be inclosed, and not preserved, as is aforesaid. 35. H. 8. 17. 13. El. 25.

For woods
thaibe converted
into tillage
or pasture.

4. No person shall convert into pasture or tillage, any such copies, or underwoods, containing in quantitie two acres, or above, which now, (viz. 14. die Ian. An Dom. 1543. & 35. H. 8.) be woods or underwoods, and put or reserved to the use or increase of wood, or underwood, and being two furlongs distant from the house of the owner thereof, or from the house wherunto the said wood doth lye, or belong, upon paine to forfeit for everie acre of wood so to be converted from wood into pasture, or tillage, xl. s. But this Act shall not extend to any copies woods, or underwoods, destroyed or turned into tillage or pasture within xx. yerres last past, (viz. before 14. die Ianuarij, Anno Domini 1543.) although the more part, or any part thereof be overgrown with bushes, or underwoods. 35. H. 8. 17. 13. El. 25.

At the selling
of wood above
xxij. yeares
growth, there
shaibe xij.
trees left in
an acre.

5. Everie person, bodie politique and corporate, having any severall woods or copies growing and set with great trees, bearing above the age of xxij. yeares growth, shall at the selling or warding thereof, leave standing within the precinct of the said wood and copies, for everie acre so sold, xij. trees of Wke of the same great trees, if there bee so many trees of Wke there to be left, and for lacke of Wkes, then to leave for everie acre so sold, as many other trees of Elm, Ash, Birch, or Aspe, as shall make the full number of xij. of such as shall be there then growing, the same trees there so left to stand, and to be preserved by such owner during xx. yeares next after such selling of the same woods. And also shall from the xx. day of Aprill, next after the selling thereof, during the terme of ix. yeares then next following, sufficiently inclose them, or the springs thereof, or otherwise save from destruction by any manner of cattell, upon paine, that everie such person, being owner of the said great woods, to forfeit for everie such great trees of the said number lacking, and not left standing, vi. s. viij. d. And upon paine, that everie owner of the ground whereupon such great trees shall be left standing, causing, or commaunding any of them to be cut downe, contrarie to the forme of this Act, to forfeit for everie of them so left, which shall be so cut downe, vi. s. viij. d. And upon paine also to forfeit for everie wood of such great wood so not inclosed or preserved, during the said space of ix. yeares, for everie Moneth iij. s. iij. d. 35. H. 8. 17. 13. El. 25.

In what ca-
ses one may
sell standils.

6. But it shall be lawfull to everie owner of any of the said copies, woods, underwoods, standils, great woods, and trees afoze rehearsed, to sell and take any of the same for buylding, repairing, inclosing, and maintaining of houses, or chards, and gardens, and everie of them, and for paling, railing, or inclosing of Parks, Forests, Chases, or other grounds, and for making or repairing of water woikes, dammes, bridges, floudgates, making or repairing, or amending of ships and all other vessels, and for all other things concerning his owne uses or affaires, in such like manner, as he might lawfully have done before the making of this Act. 35. H. 8. 17.

The selling of
woods, where-
in others haue
common.

7. It shall not bee lawfull to any person which shall have any woods, or underwoods, wherein any other person or persons iustly hath, or have used, time out of mans remembrance, to have common of pasture, to sell, or cut downe the said woods, or underwoods, there growing, or being, (except it be to his owne use or occupation) untill the fourth part of such woods, underwoods, or grounds, where the same woods grow, or as much as the fourth part of the said ground shall amount unto, shall be by the Lord and owner of the said ground divided, set out, bounden, and inclosed in maner and forme hereafter declared, viz. the said Lord that then shall be owner of the said ground, shall call together the Tenants and Inhabitants, be-
ing

ing Commoners in the said ground, or the more part of them: and upon the assemble and meeting of the said Lords, Tenants, and Inhabitants, or the more part of them, the said Lord, or owner, by the consent and agreement of the said Tenants, and Inhabitants, or the more part of them, shall divide, set out, mete, and bound the fourth part of the said woods & underwoods, or so much thereof, as shall amount to the full fourth part thereof. An 35. H. 8. 17.

Dividing the fourth part of the woods.

8 And if the said Lord, and the said Tenants & Inhabitants, or the more part of them, cannot, will not, or do not agree, for, or upon the severing, setting out, and bounding of the said (iij. part of the said woods & underwoods, or of as much thereof, as shall amount to the full fourth part thereof, then two Justices of the peace, not being of the kin, alliance, counsell, or sex, or, or to the said Lord or owner (being thereunto appointed by the more number of the Justices of Peace of the Shire, where the said ground lyeth, in their open quarter Sessions) upon request and suit made unto them by the Lord, or owner, or by his lawfull deputie, of the said woods, grounds, &c. shall have full power to call before them upon such paines and penalties as the said Justices shall appoint, such ry. of the said Commoners and Inhabitants nigh unto the same Woods, &c. as by the said two Justices shall be thought convenient. And upon or after the apparance of the same Lords, Owners, Commoners, and Inhabitants, or the more part of them, the same Justices shall declare unto them the cause of their assemble, and that done, shall by the advice and assent of the said Lords, Owners, Commoners, and Inhabitants, or their lawfull deputie or deputies, or of the more part of them, effectually proceed to the severing, dividing, meting, and bounding of the said fourth part of the said woods and underwoods, or of so much thereof as shall amount to the fourth part thereof. 35. H. 8. 17.

Where the Justices with the Lord and tenants shall divide the woods.

9 And if the same Justices, Owners, Commoners, and Inhabitants, or the more part of them, cannot, or will not agree upon the division, bounding, or setting out the said fourth part thereof, as is aforesaid: Then the said Justices shall have full power to sever, divide, and set out, by mete and bound, the fourth part of the said woods and underwoods, or so much thereof under the same fourth part, as shall by the said Justices be thought necessarie and requisite to be set out. And within the Month next after such severance and setting forth thereof, the Owner or Owners of the same woods or underwoods, in forme aforesaid, shall sufficiently inclose the same part of the said ground so set forth, as is aforesaid. And after such inclosure made, he may at his libertie sell and take the said woods and underwoods, being in, or upon the said copies, woods, underwoods, or ground so set forth or any part thereof. 35. H. 8. 17.

Where the Justices only shall make the division.

10 Where shall be left standing and unfelled, in, and upon the said part of everie the same Woods or Underwoods, or ground so severed, bounded, and set out distinctly, in forme aforesaid, at everie selling thereof, such and like number of Standills or Stozers of young Oakes, and other young trees of Elm, Ash, Aspe, or Beech, if it be copies, or underwoods, which shall be so felled, and if the woods that shall be felled, shall be great trees, or great woods, then such number shall be left standing of great trees, in, or upon the said part, to all intents, and upon like and the same penalties, as before is limited, for not leaving, and preserving of Standills in several woods and grounds. And the said part so fenced, bounden, and set out in manner and forme aforesaid, after everie selling of the copies, woods, or underwoods for the time being, in, or upon the same, shall be sufficiently inclosed and fenced, and the inclosure thereof sufficiently and continually made, or repaired, and maintained, by the space of ix. yeares next after everie selling thereof, in like manner and forme, to all intents, and upon the same and like penalties, as is before appointed for the not closing or fencing, or for the not repairing and preserving of the

How many Standills shall be left standing in common Woods inclosed & felled.

How long common Woods inclosed shall be kept in several

Woods.

Decerning of
Standis not
cut downe.

the said severall copies &c. And also the standis, stozers, and great trees appointed to be left standing, in, or upon the said part, shall be there left standing, preserved, and not cut downe, in such like manner, and by all such time, and upon such like penalties, to all intents, as is also limited for the preservation of the said stozers and great trees, appointed to be left, in, or upon the said severall copies &c. 35.H.8.17.13.El.25.

How long
woods inclosed
from the common
shall be
defenced from
cattell.

11 After the said selling of the said copies, underwoods, and woods, growing in any such part of the said woods, grounds, or places before declared, no beastes or cattell during the space of ix. yeares next after the selling of the same woods, shall willingly by any person be put in, or shall be suffered to feed or continue in any parcel of any such part so set forth, as is aforesaid, during the said terme of ix. yeares, next after the selling thereof, upon paine of forfeiture of iij. s. for the putting in of any beastes, or willfull suffering of any beast or cattell to be put into any of the said severall copies, underwoods, or woods, &c. 35.H.8.17.13.El.25.

Cutting of
wood in wast
ground.

12 If it shall happen any person being owner of any such woods, underwoods, or copies, lying and being in any wast ground, to cut downe any trees, or underwoods, contrarie to the forme aforesaid, then euerie person so offending, shall forfeit for euerie tree so cut downe sixe shillings eight pence: all which foresaid forfeitures shall be to the R. and C. to be recovered by A. I. &c. wherein no W.C.P. &c. 35.H.8.17.

The forfeiture.

The Lord
of a wood ex-
cluded of his
common.

13 Forasmuch as the said tenants, commoners, and inhabitants shall bee excluded of their common in the said part so to bee severed, as is aforesaid, by all the said terme of ix. yeares next after the selling of the said copies, woods, and underwoods, that shall grow upon the same: in recompence thereof, they shall and may vse and haue their common for their cattell, within the residue of the said woods, underwoods, ground and soile, not being inclosed, in maner and forme, as if this act had neuer bene made. And the Lord being owner of the said ground, shall bee excluded to put, or haue any cattell or beastes in or upon the same residue, or to take any profit of the pasture in the said residue, during and by the terme of vii. yeares next after the selling of the said copies, woods, or underwoods, growing upon the said part which shall be so severed and inclosed as is aforesaid. And after the said nine yerres expired, untill the next selling of the said copies, woods, or underwoods, being upon the said part, being divided as is aforesaid, as well the same part, as the said residue of the said ground shall lye and be used in common, and the pasture and other profits thereof, shall and may be used and taken as well by the Lord, being owner of the said ground, as by the said tenants, commoners, and inhabitants, in like maner as it should or ought to haue been before the making of this Act. 35.H.8.17. Quære whether the Lord shall be excluded of his common for seven yerres, or nine yerres: for the statute of 13.Eliz.25. giueth the Lord two yeares more then the statute of 35.H.8. to inclose or keepe in severall, his woods, but it doth not exclude the Lord of his common for any further time, then in the said statute of 35.H.8. is limited, which is but seven yerres.

Woods used
to be inclosed.

14 It shall be lawfull to any person to sell and to inclose all their copies, woods, and underwoods, in any wast grounds, which before the making of this Act haue bene used to be inclosed and kept for the maintenance of wood and underwood. 35.H.8.17.

The Commoners
shall in-
top their com-
mon, so long
as the wood
is unfelled.

15 If the same part of wood and underwood, so inclosed by the Lord or owner of the same, as shall be to him limited by the said Justices of peace, or commoners, be not felled within fourre moneths next after the inclosing thereof, then and so long as the same woods shall not be felled, it shall be lawfull to the said commoners, to put their cattell into the same wood and ground so inclosed, & the owner thereof shall leaue open conuenient places within the same inclosure, whereby the commoners beastes

beastes may come into the same wood, and there to feed so long as the same wood shall be unfelled. 35. H. 8. 17.

16 This Act shall not extend to any of the Lords or owners of the woods, underwoods, or woodlands, growing or being within any of the townes, parishes, or places, commonly called or known to be within any of the Wilsdes of Kent, Surrey, and Sussex, other then onely to the common woods growing and being within any of the said wilsdes of the said Counties. 35. H. 8. 17.

Woods in the wilsdes of Kent, Surrey, Sussex.

17 This Act shall not extend to charge any person with any penaltie contained therein, concerning any timber trees growing within y. miles of the Sea in the Countie of Cornwall, or any other timber trees within this Realme, being sere and dead in the tops, or any timber trees to be taken by vertue of the R. Commission within the Realme: w^{ch} of any offence done contrarie to the tenor of this Act, vnlesse the person offending this act, be sued for the same within one yeare next after the same offence committed. 35. H. 8. 17.

To what wood this statute extendeth not.

within what time the offence must be sued.

Speaking of wood hedges.

18 If any person doe breake or destroy any severall fences, or hedges, made for the saving of the same woods, underwoods, grounds, or soiles, he shall forf. for euerie such offence r. s. 35. H. 8. 17.

19 If any person suffer his swine being of the age of x. weekes or aboute, (during such yeares as the said woods bee appointed by this act to be inclosed) to goe or runne in any common, or severall ground, or woods, vnlesse the same be sufficiently ringed, or pegged, then the owner of euerie such swine, shall forfeit for euerie such his swine that shall goe vnringed &c. iij. s. the one halfe of the said forfeitures if it be in any of the kings woods, or grounds, to be to his Highnesse, and the other to the finder thereof, and if it be within any other persons grounds, or woods, the one halfe of the same forfeitures to bee to the owners of the soyle, and the other to him that will sue for the same by A. J. &c. wherein no W. C. p. &c. 35. Hen. 8. 17.

Swine shall not go in the wood vnringed.

20 Where any Woods, or underwoods shall be felled in any parke, or ground inclosed, wherein any Deere shall be then kept, the owner or possessor of such Parks or grounds shall be chargeable for the inclosure, and preservation of the same as is aforesaid, but onely for the space of five yeares after any such time of felling of the same woods &c. and not aboute. 35. H. 8. 17.

The fencing of wood in a Park where in Deere is kept.

21 If the inclosure of any of the said copies, woods, underwoods, or grounds, happen to be broken, or pulled downe, by any person against the will of the owner or possessor of the same woods, &c. whereby cattell escape into the same woods, &c. and destroy or hurt the spring thereof, or if the same woods, grounds, or underwoods, be by any meanes destroyed, hurted, or hindred, by any person, or by the cattell of any person, without the assent and will of such owner or possessor: in euerie such case the said penalties contained in this Act, shall be extended vpon the same person, by whose default the same spring, wood, or underwood shall bee so destroyed or hurted, and not vpon the owner or possessor of the said woods, grounds, or underwoods. 35. H. 8. 17. 13. El. 25.

where a stranger is cause of the offence, he onely shall be punished.

22 It shall not be lawfull for any person to put any maner of cattell into any copies woods inclosed to be preserved, from the time of the sale thereof, vntill the end of five yeares, nor from the end of v. yeares, any other cattell but Calues, and yeareling Colts onely, vntill the end of vij. yeares, if the wood was vnder the age of xij. yeares at the last fall, or vntill the age of vij. yeares, if the wood was about the age of xij. yeares, at the time of the last fall. 13. El. 25.

within what time Cattell may be put into copying woods.

23 Euerie man that hath wood within the Forrest, may take housebote and haybote in the said wood, without being attached by any officer of the Forrest, so that he do it by the view of the Forresters. 1. Edw. 3. 2. And euerie freeman may take agistment in his owne Wood within the Kings Forrest at his pleasure, and shall haue

How a man may take his wood which is within the Forest.

Woods. Wools.

Agistment.

haue his pascuage; and may drine his swine through the Kings demeane woods, for to agist them in his owne Woods or elsewhere, and if the swine carrie one night in the forrest, he shall not lose one of them thereby. *Charta de Forrestra. 9. Hen. 3. 9.*

Purprestures
wastes, asserts
made in the
forrests.
How each
man may use
his wood with
in a forrest.

42 Those that doe make Purprestures in their woods which they haue in Forrests, without the Kings speciall licence, or waste, or assert in the same, shall answer to the King for the same wastes, purprestures, and asserts. But euery freeman shall without daunger make in his owne wood, in his owne ground, or in his water, which he hath within the Kings forrest a mill, a pole, a pond, a marle pit, a ditch, or arable land, without inclosing that arable ground, out of the couert of the forrest of ground which hath bene arable, so that it be not to the hurt of any of his neighbours: and also he may haue within his woods Wyres of Hawkes, Sparrowhawkes, Falcons, Eagles, and Herons, & the hony that is found within his woods. *Charta de Forrestra. An. 9. H. 3. 4. 12. 13.*

How long
woods felled
in the forrests
may be inclo-
sed.

25 If any of the Kings subiects hane woods of his owne, growing in his owne ground within any forrest, chase, or perliw of the same within this Realme of England, shall cut or cause to be cut the same wood, or part thereof, by licence of the King, or of his heires, in his forrests, chases, or perliws, or without licence in the forrest, chase, or perliws of any other person, or make any sale of the same wood: It shall be lawfull to the same subiect, owner of the same ground whereupon the wood so cut did grow, and to other such persons to whom such wood shall be sold, immediatly after the wood so cut, to ceps, and inclose the same ground with sufficient hedges, able to keep all maner beasts and cattell out of the same ground, for the preserving of their pong spring, and the said hedges being so made, the said subiects may keepe them continually by the space of seven yeres next after the same inclosing, and repaire and sustaine the same as often as shall need within the same seven yeres, without suing any other licence of the King or of his heires, or other persons, or any of their officers, of the same forrests, chases, and perliws. 22. *Edw. 4. 7.*

- 1 The forf. for burning of any heape of wood felled. *S. Burning 1.*
- 2 At what time Oke trees meete to be barked, shall be felled. *S. Leather 15.*
- 3 No Purueyours of timber shall fell any trees growing about any mans house. *S. Purueyours 8.*
- 4 No Purueyor of timber shall fell any timber to the Kings vse, but onely in barking time, or shall take away any more then onely the timber tree. See *Leather 16.*
- 5 None shall buy wood but they which will burne or retaille the same. See *Fuell 1.*
- 6 Where woods shall be felled in or neere high waies. *S. Highwaies 18.*
- 7 What woods may be felled, and in what places for the making of yron, and what not. *S. Iron.*
- 8 How euery Licence for transporting of wood shall be vled. See *Corne 3. 4.*

Wools.

who only may
buy wools.

No person being bozne within the Kings obeisance, shall buy, bargain, take, or make any promise or bargain of wools, but onely such person, his wife, or his appentice, inhabiting in his mansion house, as shall of the said wools make yarne, any kind of clothes, Chamlets, Wolsteds, Saies, Stamme, knit hose, knit peticotes, knit gloves, knit sleeves, hats, coiles, cappes, Arras, Tapestry coverlets, girdles, or any other thing used to be made of wolle, or mixed with wolle within

within the Realme, or else a Merchant of the Staple, or his apprentice dwelling, in his mansion house, to be shipped onely to the Staple, upon paine of forfeiture of the double value of the said Wools, so to be bought or bargained, or taken by p[ro]mise of bargain contrarie to this Act, to the R. and J. to be recovered by A. J. 4c. wherein no W. C. P. 4c. 5. E. 6. 7. Neither shall any denizen buy any wools, but of the owner of the shepe and fitte wools, but in the Staple. 14. R. 2. 4.

2 But Merchants of Newcastle, and other persons may buy Wools of the growth of the Countie of Northumberland, Cumberland, Westmerland, Richmond, and Alderton shire, or the Bishoppe of Durham, to the intent to ship or transport the same into the parts beyond the Sea, as they have bin accustomed, any thing in this act 4c. notwithstanding. 5. Ed. 6. 7.

3 And also the Merchants of the Staple from time to time may bargain or sell their refuse course wools, and lockes, such as is not mate for the said Staple to any person that will buy the same to make yarne or cloth, or other things as is aforesaid, within this Realme, so as the same be shot & packed by the wools packer, declaring of what packing or countie the refuse or lockes be, and writing upon the clothes wherein the said refuse wools is packed, in great letters, as they doe upon the wools that are shipped to the Staple. 7. Ed. 6. 7.

4 Euerie person dwelling within the Countie of Norfolk, or Citie of Norwich, by himselfe, or by his factor or servant, may lawfully buy & bargain wools, and take and make p[ro]vision to buy or bargain wools growing onely within the said Countie of Norfolk, so that the same person so buying or bargaining or making p[ro]mise to buy or bargain the said wools, doe sell or retails the same againe in the common market, or other open place within the said Countie of Norfolk, or Citie of Norwich, to any person or persons that will buy the same or any parcel thereof dwelling within the said Countie of Norfolk and Citie of Norwich, or any of them that will spin the same within the same Countie or Citie. 1. E. 6. 6. 5. E. 6. 7.

5 It shall be lawfull to any person inhabiting within the parish of Walsar, to buy any wools, at such time as the Clothiers may buy the same (otherwise then by ingrossing and foreshalling) so that the persons so buying the same, do carie or cause to be caried the said wools so bought by them to the Towne of Walsar, and there to sell the same to such p[er]sons of that and other Parishes adioyning, as shall worke the same in Cloth of yarne (to their knowledge) and not to the rich clothier, nor to any other to sell againe. And if either the said wools diuer shall sell his said wools at any other place forth of the said towne of Walsar, or if any such that shall buy their wools at Walsar, shall sell their wools, that they bought, againe brought in yarne or cloth, then euerie such offender shall forfeit the double value of the wools so sold or uttered, to the R. & J. that will sue for the same in any of the M. courts of record, or before the Just. of the peace in their Sessions. 2. & 3. P. & M. 13. S. Just. of peace 98.

6 No merchant stranger, by himselfe, or by any other person for him, in his name, or to his use, shall bargain, or buy any wools before the feast of the purification of our Lady next after the clipping or shearing of the same wools, upon paine of forfeiture of the double value of the same wools, to the R. and J. to be recovered by A. J. 4c. wherein no W. C. P. 4c. 5. E. 6. 7.

7 No person having any wools of his owne growth, shall keepe the same wools to the intent to sell the same in wools brought, about one whole yeare next and immediately after the shearing of the same wools, so as there be offered without fraud or couin to the owner or owners thereof within the same time, such price as then shall be most commonly given in the same shire for wools of like goodnesse and packing, upon paine of 10s. for euerie tod, or tod weight thereof so kept about one yeare

The words of the Stat. be to be shipped onely to the Staple of Calice.

Idem Quere. Wools growing in Northumberland.

Staplers may sell their refuse wools and lockes.

How Norfolk wools may be bought & sold againe.

The inhabitants of Walsar may buy wools and sell the same there againe.

At what time a merchant alien may buy wools.

No man shall keepe his wools about a yeare

Wools. Women.

yeare unfold, as is aforesaid, r. s. to the K. and I. to be recovered by A. I. &c. where in no W. &c. P. &c. 5. Ed. 6. 7.

**Winding of
wool.**

8 No person shall wind, or cause to be wound, any fleece of wool, being not sufficiently riuered or washed, ne wind or cause to be wound within any fleece, clay, lead, stones, sand, tails, deceitfull lockes, rot, calles, comber, lamber, wool, or any other thing, whereby the fleece may bee the more waightie, to the deceit and losse of the buyer, vpon paine, the seller of any such deceitfull wools, to forfeit for euery such fleece vj. s. to the King and the finder, and prouer of the same deceit, to bee recovered by A. I. &c. wherein no W. &c. P. &c. 8. H. 6. 22. 23. H. 8. 17. 13. Eliz. 25.

Woolpacker.

**Force, cloche,
beard wool.**

And if any woolpacker do make any other but good and due packing, he that feeleth himselfe grieved thereby, shall haue his action of trespassse and deceit, at the Common Law, against him. And if any stranger doe force, clacke, or beard any wool, hee shall forfeit the same or the value thereof, and be imprisoned. 8. Henrici 6. 22.

**Counties
where wool is
not washed, or
fleece sold by
tale.**

9 But this Act concerning riuering and washing of any wool, shall not extend to any shire or shires, the inhabitants whereof haue not customably vsed before this time, to riuier or wash their sheepe before they be shorne, nor shall be hurtfull to any persons that haue vsed customably to sell their wools by tale, or number of the fleeces, and not by weight. 23. H. 8. 17. 13. El. 25.

**What wool
may be refused**

**Good packing
& cocketing
of wools.**

10 No Denizen nor Foiein shall make any refuse of wools, but of rot, gare, and vliein. Neither shall any buy wools, by these wordes (good packing) nor other like wordes, vpon paine to forfeit to the partie grieved double damages, and the Broker shall be halfe a yeare imprisoned. And whosoever doth cocket wool, but in the name of him whose the wools bee, shall forfeit them. 13. Rich. 2. 9. 31. Edw. 3. 8.

11 The Chauncello, Treasorer, and other of the Kings Councill, may deferre the passage of wools when they see that need is. 31. Ed. 3. 9.

The Staple.

In the time of Edward the third, and sithence, diuers Statutes were made for the placing, maintenance, and remouing of the Staple, and for lawes and ordinances to be obserued therein, & certaine magistrates and officers were ordained for the execution thereof, and seuerall statutes were made, prohibiting wools to be caried to any other place, sauing to Calice, or the places where the said Staple was established, but some of those statutes be repealed, many expired, and the vse of the residue in effect taken away by the want of Callice, except those which be expressed in this and other titles of this treatise. But whether the Staple is removed, by what warrant and authoritie, and in what sort, & how farre the statutes provided for the maintenance of the staple of Callice do extend, or may be executed for the maintenance of the same in any other place, Quære.

- 1 For the contents of a stone, and sack of wooll. S. Weights 3.
- 2 For the custome of wools. S. Custome 10. 18.
- 3 For the boyling of wooll, and with what stuffe it shall be boyled. S. Draperie 60.
- 4 No imposition shall be set vpon wools &c. without assent of Parliament. S. 45. Ed. 3. 4.

Women.

**Alienations
et. by the wife
of the inheri-
tance of her
late husband.**

If any woman hauing estate in dowor, or for terme of life, or in tails, jointly with her husband, or onely to her selfe, or to her vse, in any manors, lands, tenements, or other hereditaments, of the inheritance or purchase of her husband, or giuen to the said husband and wife in tails, or for terme of life, by any of the ancestors of the said husband, or by any other person seised to the vse of the said husband,

band, or of his successors, and shall, being sole, or with any other after taken husband, discontinue, alien, release, or confirm with warrantie, or by couin suffer any recoverie of the same against them, or any of them, or any other seised to their use, or to the use of either of them, after the forme aforesaid: All such recoveries, discontinuances, alienations, releases, confirmations, and warranties, so had and made, shall be utterly void. And it shall be lawfull to everie person and persons to whom the interest, title, or inheritance after the decease of the said woman of the said lands &c. being discontinued, aliened, or suffered to be recovered in forme aforesaid, should appertain, to enter into all and everie of the premises, and peaceably to possesse and enjoy the same, in such manner and forme, as he or they should have done if no such discontinuance, warrantie, nor recoverie had been had or made. 11. H. 7. 20. S. Stat. Gloucest. 6. Ed. 1. 7. If a woman do sell or give in fee, or for terms of life, a tenement which she holdeth in dower, the heire or her to whom the land ought to revert after the decease of the wife, shall immediately have his recoverie by writ of Entry out of the Chancery.

If writ of Entry in case preuise.

2 If any of the said husbands and women, or any other seised to the use of them, of the estate before specified, do make or cause to be made, or suffer any such discontinuance, alienations, warranties, or recoveries in forme aforesaid: When it shall be lawfull to the person or persons, to whom the said lands, tenements, &c. should or ought to belong, after the decease of the said woman, to enter into the same, & them to possesse and enjoy, according to such title and interest, as they should have had, if the same woman had bin dead, no discontinuance, warrantie, nor recoverie had as against the said husband during his life, if the said discontinuance, alienation, warranties, and recoveries be had by or against the same husbands and women during the espousell betwixt them, But the said women after the decease of their said husbands, may reenter into the same lands &c. and them to enjoy, according to the first estate in the same. 11. H. 7. 20.

Upon the recovery or alienation of the woman, he in the reversion may enter.

If woman reuert behind but during her husbands life.

3 If the said women at the time of such discontinuance, alienations, recoveries, warranties, in forme aforesaid, had and made of any the premises, be sole, then she shall be excluded of her title, and interest in the same from thenceforth, and the person and persons to whom the title, interest, and possession of the same should belong after the decease of the said woman, shall immediately after the said discontinuances, alienations, recoveries, and warranties, enter into the same lands &c. and them to possesse and enjoy according to his or their title in the same. 11. H. 7. 20.

If woman sole aliening or suffering recovery.

4 This act shall not extend to any such recoverie or discontinuance to be had with the heires next inheritable to the said woman, or where he or they that next after the death of the same woman should have estate of inheritance in the same lands, &c. be assenting and agreeable to the said recoveries, where the same assent and agreement is of record and inrolled. And it shall be lawfull to everie such woman being sole, or married, after the death of her first husband to give, sell, or make discontinuance of any such lands, for terme of her life onely, after the course of the common law. 11. H. 7. 20.

If woman doth discontinue or suffer recovery with the heires consent.

If woman may give land for terme of her owne life.

5 No fine, feoffment, or other act hereafter to be made, suffered, or done by the husband onely, of any lands, tenements, or hereditaments, being the inheritance or freehold of his wife, during the coverture betwixt them, shall in any wise be, or make any discontinuance thereof, or be prejudiciall or hurtfull to the said wife or to her heires, or to such as shall have title, interest, or right to the same by the death of such wife or wives. But the same wife or her heires, and such other to whom such right shall appertain after her decease, shall & may then lawfully enter into such lands &c. according to their rights & titles therein, notwithstanding such fine, feoffment, or other act (fines levied by the husband and wife, wherunto the

The husbands only act of the wives lands shall not prejudice her or her heires after his death.

Women.

Releases made
by the husband
of the wife, of the
inheritance of
the wife.

Recoveries
of debts in-
rolled in cor-
porat townes.

Lands reco-
uered against
the husband
by default.

Conveying
away a maid
under xvj.
yeares of age.

The feyl for
taking away
a maid under
xvj yeares of
age.

Taking away
a deflowring,
or contracting
matrimonie
with a woman
under xvj.
yeares of age.

said wife is parties and partie onely except.) But this act doth not give any liber-
tie to any such wife, or to her heires, to avoid any lease made of any inheritance of
the wife, by her husband and her for terme of one and twentie yeares, or under, or
any her inheritance for terme of thre lines at the uttermost, whereupon as much
yearly rent or moze is reserved, and yearly payable during the same lease, as
was at any time therfore paid within twentie yeares next befoze the making of
any such lease, according to the tenor of this Act. 32. H. 8. 28. Neither doth this
Act give libertie to the wife, or her heires, to avoid any recoveries, debts inrolled,
or releases, being in the nature of fines (whereupon women couert are used to be
examined) knowledges, and taken befoze the Mayors, Aldermen, Recorders,
Chamberlaines, or other head Officers of the Citie of London, or other Cities,
Boroughes, or Townes corporat, having power to receive and take the same,
according to the Customes of the said Cities, Boroughes, &c. But the same reco-
veries, debts inrolled, and releases, shall remaine of like strength to all intents,
as they were befoze the making of the foresaid Statute of 32. H. 8. 34. H. 8. 22.
S. Westm. 2. 13. E. 1. 3. that if the husband do lose by default any tenement which
he hath in his wives right, the wife after the death of her husband may recover the
same by a Cui in vita.

6 It shall not be lawfull to any person or persons, to take, or convey, or cause
to be taken or conveyed away, any maid, or woman child unmarried, being with-
in the age of fifteene yeares, out of, or from the possession, custodie, or governance,
and against the will of the father of such maid, or woman child, or of such person
or persons to whom the father of such maid, or woman child by his last will, or
by any other Act in his life time, shall assigne, bequeath, give, or graunt the or-
der, keeping, education, or governance of such maid or woman child, except
such taking and conveying away, as shall be had, made, or done, by, or for such per-
son or persons, as without fraud or covin then shalbe the master or mistress, or the
Guardian in socage, or Guardian in chivalrie, of, or to such maid, or woman child.
4. & 5. P. & M. 8.

7 If any person or persons above the age of xij. yeares, shall unlawfully take or
convey, or cause to be taken or conveyed, any maid or woman child unmarried, be-
ing within the age of xvj. yeares, out of, or from the possession, and against the wil of
the father or mother of such child, or out of or from the possession of such person or
persons as then shall have by any lawfull titles or meanes, the order, keeping, edu-
cation or governance of any such maid or woman child: Then everie such person
and persons so offending being thereof lawfully attainted or convicted by the due
course of the law of this Realme (other then such of whom such person taken away
shall hold any lands or tenements by knights service) shall be y. yeares imprisoned,
of his or their bodies without baile or mainprise, or else shall pay such fine for his or
their said offence to the M. and P. grined, as shalbe assessed by the M. Councell in
the Exchequer chamber at Westmister. 4. & 5. P. & M. 8.

8 If any such person or persons shall take away, or cause to be taken away,
as is aforesaid, and deflowze any such maid or woman child, as is aforesaid: Or
shall against the will, or unknowing of, or to the father of such maid or woman
child if the father be in life, or of, or to the mother of such maid or woman child
(having the custodie and governance of such child, if the father be dead) by secret
letters, messages, or otherwise, contract matrimonie with any such maiden or
woman child (except such contracts of matrimonie as shall be made by the consent
of such person or persons as by the title of wardship shall then have or be intitu-
led to have the marriage of such maid or woman child) then everie such person or
persons so offending being thereof lawfully convicted as is aforesaid, shall suffer
imprisonment of his or their bodies by the space of five yeares, without baile or
mainprise,

mainprize, or else shall pay such fine for his or their said offence to the Quene and partie grieved, as shall be assessed by the D. Councell in the said Starre chamber. 4. & 5. P. & M. 8.

9 The Quenes Councell of the Starre-chamber by bill of complaint or information, & Iustices of assise by inquisition or indictment, haue authoritie to heare and determine the said offences: Upon enries which Indictments and Inquisitions such proces shall be awarded, as vpon an Indictment of Trespas at the Common Law. 4. & 5. P. & M. 8.

who may
heare and de-
termine the
offences as
foresaid.

10 If any woman Child, or Maiden, being above the age of xij. yeares, and vnder xviij. do at any time consent to such person that shall so make any contract of Patrimonie, contrarie to the forme and effect of this Statute: When the next of her kin, to whom the Inheritance should returne, or come after her decease, shall from the time of such assent, haue and enioy all such lands, tenements, & hereditaments, as she had in possession, reversion, or remainder, at the time of such assent, during the life of such person that shall so contract Patrimonie. And after the decease of such person so contracting Patrimonie, then the said lands, tenements, &c. shall descend, reuert, remaine, and come to such person or persons, as they should haue done in case this act had neuer bin made, other then to him only that so shall contract Patrimonie. 4. & 5. P. & M. 8.

A woman be-
twixt xij. and
xviij. consenting
to an unlaw-
full contract of
matrimonie.

11 But this act shall not extend to take away, or diminish any libertie, custome, or authoritie, concerning any Orphanes within the Citie of London, or any other Citie, Borough, or Town where Orphanes are commonly vsed to be provided for, either by graunt, or by custome: But the Lord Mayor of the said Citie of London, and the Aldermen of the same, and euery other head officer of any other Citie, &c. where such Orphanes be provided for, shall, and may haue, and take like rule, order, keeping, and charge of such Orphanes, and of all their lands, tenements, goods, and cattels, as heretofore they vsed, or lawfully might haue had and vsed, if this Act had not bin made. 4. & 5. P. & M. 8.

Orphanes.

12 If any person or persons shall take any Maid, widow, or wife, which hath any lands, or goods, or is heire apparant to her auncestors, against her will/ unlawfully, such taking, procuring, and abetting to the same, and also receiuing wittingly the same woman so taken against her will, and knowing the same, shall be Felonie, and such aidours, takers, and procurators to the same, and receiours, knowing the said offence in forme aforesaid, shall be reputed and indged as principall Felons: But this act doth not extend to any person taking any woman, onely claiming her as his Ward or Bondwoman. 3. H. 7. 2.

Taking a
woman a-
gainst her
will.

13 All and euery such person and persons as shall be convicted or attainted, of or for any offence to be committed after the end of this Session of Parliament made Felonie by the said act of An. 3. H. 7. or which shall be indicted and arraigned of or for any such offence, & stand mute or make no direct answer, or challenge peremptorily above the number of xx. shall in euery such case, lose his and their benefit of Clergie, and shall suffer paines of death without any benefit of Clergie, any former law to the contrarie notwithstanding. Provided alwaies, that this Act, or any thing therein contained, shall not extend to take away the benefit of Clergie, but onely from such person and persons as hereafter shall be principals or procurors or accessories before such offence committed. 19. Eliz. 9.

The offenders
shall lose his
Clergie.

14 If any person or persons will take by force, or dissimulation, or by any other meanes will get into his or their possession, any woman being sole, having any lands, tenements, or moveable goods within this Realme, and conuey her into any place where he or they be of power, & will not suffer her to go at libertie vntill she will be bound vnto him or them, or to some other, to his or their vse, in a summe of money in an obligation, or obligations simple, or conditionall, or by

Women.

A woman en-
forced to be
bound by obli-
gation of Stat.

obligation of the Statute of Archant, before a Sheriff or Bailiff, having power to take such Recognisances, or will cause the said summe to be levied of her lands or goods, or will cause her to be married against her will: Then the partie which is bound may have a writ out of the Chancery containing all the matter of her unreasonable intreaty, directed to the Sheriff of the Countie where any of the said offences shall be committed, commanding him that he shall by force of that writ, make Proclamation in the full and next Countie after the receipt of the said writ, that the person or persons contained in the said writ, shall appear at a certaine day and place prefixed in the said writ, before the Chancelloz of England, or before the Justices of Assise in the Countie where the said offence was committed, or otherwise before some worthy person appointed by the Chancelloz, at which day and place if the partie or parties do appear, the Chancelloz, Justice, or other person assigned, shall examine him duly upon the premises: By which examination if they may find the said obligation or obligations to be made in such forme as is aforesaid, then the said obligation or obligations, and all proses and execution thereupon pursued, shall be void. And if it be found by examination before them, that any of the said obligations were made for verie duetie, and by no such meane as is aforesaid: Then the said Obligation, &c. and all the proses and execution pursued thereupon, shall be good and effectual. And if the person or persons in such writs named, against whom any such letters or writs shall be sued, doe make default at the day and place limited in the said writs: Then all such Obligations as be above specified, and in the said writs expressed, and all manner of proses, and executions, sued or pursued thereupon, shall be void. 31 H. 6. 9.

What the Sher-
iffe shal do, if
he do not exe-
cute this writ

15 The Sheriff to whom such writs upon this Statute commenced, shall be directed, shall execute the said writs according to the tenor thereof, upon paine of thre hundred pounds, whereof the King shall have the one moiety, and the partie which sueth the Proclamation, the other: for the which moiety, the said partie grieved shall have an Action of Debt against the said Sheriff, with proses of Default, wherein no Wager of Law, Protection &c. nor foraine plea to be tried in any other place, but where the writ commenced upon the Statute is sued. 31 Hen. 6. 9.

A womans
suit shall not
be deferred by
the minority
of the heire.

16 If any man doth alien the right of his wife, the womans suit, or her heires shall not be deferred after the death of her husband by the minority of the heire which ought to warrant it, but the buyer (which ought not to be ignorant that he hath bought an others right) shall carrie to have his warrantie, untill the full age of the heire. Westm. 2. 13. E. 1. 40.

1 What punishment doth insue the rape of a woman, or consenting to rape. S. Rape 1. 2. 3.

2 Where a woman shall have her Quarentine, where her Jointure, where her Dower, and what causes there may bee of conclusion, or forfeiture. S. Dower.

3 Where a woman may have Appeale of death, or murder. S. Appales 4.

4 In what cases a woman above the age of xij. yeares is compellable to serve. S. Labourers 14.

5 What leases made of a womans lands during her coverture shall bind her, and what not. S. Leases 1. 2. 3.

6 How Widowes, or other women which hold of the King in chiefe shall be vsed. S. Prerogative 4. 5.

7 In what cases a woman covert shall be receiued to defend her right of lands demanded. S. Receit 1.

8 A Will made by a Woman couert of Lands, is not effectuell in Law. S. Wils 17.

9 A Will made by a widow of her crop, is good. S. Wils 2 c.

10 How far any woman shall be bound by the Statute provided, to restraine Recusants to certaine places of abroad. S. Recusants 39.

Worstedes.

ANno 7. E. 4. r. It was enacted, That men of the craft of Worsted weavers within the Citie of Norwich, shall haue power euerie yeare, the Sunday next after the feast of Pentecost, to chuse foure Wardens within the said Citie of the same craft. And also that Artificers of the same craft likewise out of the Citie, viz. within the Countie of Norfolk, shall haue power euerie yeare at the same day to chuse foure Wardens within and of the same Countie of the same Craft. And the foresaid Wardens within the Countie and Citie, shall come before the Mayor of the said Citie for the time being, upon Sunday next after the feast of Corpus Christi then next following: And then shall be swozne before the Mayor of the said Citie (and the Steward of the Duchie of Lancaster for the time being if he shall be then in the said Citie.) And that all the said Wardens, as well within the said Citie, as without, or else the greatest part of them, vnder the forme aforesaid chosen and swozne, shall haue full power for the yeare then next following, to suruey the workmanship of the said Artificers, and that they make and worke rightfully and well, and of good stufte: And to ordaine such rules and ordinances within the said craft, as often as it shall seme needfull and necessarie for the amendment of the said Worstedes and craft: And that such rules and ordinances so made and ordained by them shall be obeyed and kept by the said Artificers: Or else foure of the said Wardens, calling to them five of the most discreet of the said Artificers within the said Citie, And five of the said Artificers within the said Countie, by the discretion of the said Mayor and Steward, or one of them, shall punish such of the said Artificers, which breaketh or doth contrarie to any of their said rules and ordinances. And moreover in eschewing of all such deceit and fallshood which may happen to be done and wrought in the said craft by the said eight Wardens, by themselves sely, or in concealing of the workmanship of others of the Artificers in the said Citie and Countie, It was further ordained that the Mayor of the said Citie for the time being, and the said Steward, or one of them, at such time as he shall thinke convenient, shall call before him the said twelue Artificers, or the greatest part of them, and charge them to be swozne to make rightfull search, as well in the stufte, as in all the working of the said eight Wardens to be wrought and made: And the said Wardens so found defective, in execution of their office in search of all other of the same Artificers within the said Citie and Countie, or in their elone stufte or workmanship, shall be corrected by the same Mayor and Steward, in such sort as other offenders of the same Craft ought to be. And the said Wardens and euerie of them in euerie part of the said Citie of Norwich, and elsewhere in the Counties of Norfolk, Suffolke, and Cambridge, at all times convenient, shall haue power to search all manner of Worstedes, and the stufte of them, as well within the Houses as out of the Houses, wrought within the Citie of Norwich, or Countie of Norfolk. And if any man before the said Mayor or Steward, or either of them, be thereof found defective, he shall be corrected by their discretion. And the Worstedes and stufte found in manner and forme aforesaid defective, shall be forfeit: The one

Worstedes.

halfe of such worsted as shall be found within the Citie of Norwich, shall be to the Mayor of the same Citie, And found in any other place, to the Mayors, Baylives of the Cities, Boroughs, and Townes, as to the chiefe Lodes of the same, and in such place as such Worstedes or stuffe for any of the causes aforesaid shall be found defective or worsted by the said Wardens, or any of them: And the other halfe shall be to the Wardens of the said craft for the time being. And by the said Statute it was further ordained, that the said eight Wardens, the said Sunday next after Corpus Christi day, presently after their charge shall assigne a certaine place or two within the said Citie, and certaine dayes by the weeke, and an other certaine place, or two, or moze if they thinke it necessarie, in the said Countie of Norfolk, and certaine dayes by the weeke for the yeare next following: To the intent, that everie piece of Worsted, which in the same yeare shall be put to sale, shall be brought before the Wardens of the said Craft, to one of the said places so assigned, to the intent, that aswell the Artificers of Worstedes, as the said Wardens, may certainly know the place where the Worstedes may be duely searched. And if the said Wardens find the said Worstedes by their search well and lawfully made, then such a marke or token shall be set by the said Wardens, or one of them (without fine or fee) upon the same, so that all buyers may well know which piece is sufficiently and rightfully searched and wrought: And the said search shall aswell extend to the stuffe, as to the sufficient making. And such as they shall find defective, the Mayor of the said Citie, and Steward of the Duchie, or one of them, by the assent of the said Wardens, and twelve Artificers, shall have power to set therein such correction, as to them shall seeme reasonable. And all Mayors, Sherifes, Bailifes, and other Officers shall be aiding, attending, and supporting the said Wardens in their search, as often as they, or any of them shall be by the said Wardens, or any of them reasonably required. And An 14. H. 8. 3. and 16. H. 8. 16. it was enacted, that the Craftsmen called Worsted Weavers inhabited within the Towne of great Parhamouth, in the Countie of Norfolk, shall have authoritie to elect and chuse yearly for ever, in the Sunday next after the feast of Pentecost, one honest man of the same occupation, being an householder within the same Towne of great Parhamouth, and having of his proper goods and chattels to the value of 1. pounds at the least, or lands and tenements to his owne use of estate of freehold to the cleere yearly value of 11. shillings at the least, to be Warden of the same Craft and Mysterie for the yeare next following: Which man so chosen, shall personally appeare before the Mayor of the Citie of Norwich, the Sunday next after the feast of Corpus Christi then next ensuing, then and there to be charged by like oath, concerning the true and substantiall making of the said Clothes within the said Towne of great Parhamouth, as the four Wardens of the said Citie of Norwich by vertue of the foresaid Act of 7. Edw. 4. beere charged and swoyne within the same Citie: And if the said Mayor be absent the said Sunday, or refuseth to take the said Oath, then the said Warden so elect, shall within four dayes after the same Sunday, come before the Bailifes of the said Towne of great Parhamouth, or one of them, (the other being absent) and receive a corporall oath, for the true exercising of the same Office of Wardenship, after the tenor of the Oath used to be given to the said Wardens of the Citie of Norwich. And the said Warden so elect and swoyne, may appoint a Seale, with this Letter Y. to be graven in the same Seale, and may have authoritie to view, search, seize, and seale in lead with the same Seale, and none other, all Worstedes, Sayes, and Stammers, within the said Towne of great Parhamouth, and the Suburbs of the same to be made,

Parhamouth.

Y

made, and not elsewhere, in as large manner, as the said Wardens of *Portwich* and *Portfolke*, &c. by the said Act made 7. Edward. 4. may doe &c. And by the said Statute of 14. Hen. 8. it was further enacted, That when the Towne of Linne in the Countie of *Portfolke* shall be inhabited with ten sundrie houtholders or more houtholders exercising and using the said craft of *Worsted* weavers: Then and so long it shall be lawfull to the same Inhabitants of Linne, yearly on the Sunday next after the feast of Pentecost, to chuse of themselves one Warden of the same craft, which shall be of value in Lands or goods, and shall be twoyne, and shall appoint a Seale with the letter L. and shall view, search, seale, and seale within the Towne of Linne and Suburbs of the same, vt supra of *Parmonth*. Provided alwaies, that this Act shall not be prejudiciall to the *Mayor* of *Portwich*, or to his successors, or to the Wardens of the said Citie or Countie, or to their successors, in any point, article, or authoritie, other then for weanning, searching, and sealing of *Worstedes*, *Sayes*, and *Stammynes* made onely within the said Townes of Linne and *Parmonth*, or the Suburbs of the same, or to any of them: And for limiting of *Worstedes* to the *Bakers* of *Worstedes*, *Sayes*, and *Stammynes* onely inhabited within either of the said Townes or the Suburbs thereof, and taking of Apprentices. But the said *Mayor* of the said Citie, and Wardens of the said Citie and Countie, and euerie of them may haue and vse all other articles, points, and authorities specified in the foresaid Act of 7. Edward. 4. as well for the search, sealing, correcting, and reformation of the said Wardens newly to be elected by vertue of this Act, and euerie of them, according and after such forme as they may do or vse any of the said Wardens of the said Citie or Countie, by force of the said Act, made 7. Ed. 4. as all and euerie other inquiries, corrections, searchings, sealings, and reformations to be had for the true making of *Worstedes*, *Sayes*, and *Stammynes*, in and vpon any person or persons, aswell within the said Townes of Linne and *Parmonth*, as without, without let or variation of any of the inhabitants of the said Townes, in as large wise as they might haue done before the making of this Act.

2 No person or persons shall take vpon him, or them, to dry-calender any *Worsted* within this Realme, vpon paine to forfeit for euerie *Worsted* that is so dry-calendered, an hundred shillings. No person or persons shall take vpon him or them to wet-calender any *Worstedes*, but onely such persons as haue bene bound apprentices to other persons of the same occupation of wet-calendering of *Worsted*, by the space of seven yeares, or bee cunning in the same, and their cunning approued and admitted by the *Mayor* of *Portwich*, and the two *Wasters* of the said Craft, yearly to bee chosen within the said Citie of *Portwich*, or in the Countie of *Portfolke*, of the Craft of wet-calendering, vpon paine of euerie such person which shall doe the contrarie, to forfeit for euerie peice so calendered against the purueyances aforesaid, 100. shillings to the King and to the *Wasters* of the said occupation of wet-calendering for the time being. And it shall be lawfull to the *Wasters* of the said occupation (for the time being) and their successors, to sue for the one moiety of all such penalties for. against euerie such person, as shall doe contrarie to the forme and effect of this Statute by A. of debt, B. 3. A. 3. wherein no *W.C.P.* 4. c. 1. H. 8. 4. 15. H. 8. 5.

3 No person using the *Worsted* of drying of *Worstedes*, *Stammynes*, or *Sayes*, or any of them, neither by himselfe, his Seruant, Factor, Deputie, or any other by his assignement, shall vse to calender any *Worstedes*, *Stammynes*, or *Sayes*, or any other commodities made of *Worsted* yarne, duzing all such time as he shall vse the *Worsted* of drying aforesaid, vpon paine to forfeit for euerie peice so dyed and

L

No *Worsted* shall be dry-calendered.

who shall wet-calender *Worstedes*.

None that dyeth *Worstedes* shall calender them.

Worstedes.

and calendred, by fraud, or contrarie to the true meaning of this act, for the shillings to be diuided into three equall parts, the one to the King, one other part to the Maior of Norwich, and the third part to him or them that will sue for the same by Action, Information, &c. wherein no Escoine, Protection, or delay &c. 25. H.8.5.

No worsted transported before the same be shorn, died, & calendred. What worsteds may be transported, & what not.

4 No person shall transport beyond the Sea any Clothes of Worsted, before the same be shorne, died, coloured, and calendred, upon paine of forfeiture of the value thereof to the King, and Informer, to be recovered by A. J. &c. wherein no wager of Law, Escoine, Protection &c. 14. H.8.3.26. H.8.16.

5 The Marchants and workers of Clothes, called single Worsted, may carry bolts of single Worsted to what parts they will (except to the Kings Enemies) paying the customes and subsidies thereof due, notwithstanding any statute, ordinance, proclamation, inhibition, commaundements, or charters, liberties, privileges, or priuiledges, graunted or to be graunted to the Marchants of the Staple, or to any other, made or to be made to the contrarie. But vnder the colour of the said bolts of single Worsted, they shall carrie no double Worstedes, nor halfe double, nor Worstedes Raze, nor Pottley, vpon paine of forfeiture of the same. 17.R.2.3.

Euery man shall put his marke to his worsted.

6 No man of the Craft of Worsted weauers within the Citie of Norwich, or the Countie of Norfolk, shall make any worsted, vntlesse he put his proper marke fired or woven vpon the same, ordained by the Wardens of the said Mysterie, vpon paine to forfeit the same to the King, and for euery pece of Worsted sold, not marked after the forme aforesaid, the first seller shall forfeit the price so by him sold, to the King. 7.E.4.2.

Who shalbe worsted weauers of great Parmonth & Linne.

7 No person inhabited within either of the Townes of great Parmonth or Linne in the Countie of Norfolk, or the Suburbes thereof, shall weaue or make any Worstedes, Sayes, or Stammins, within either of the same Townes, except he be an English man borne, and haue been Apprentice to the said occupation, and without he weaue therein such proper marke, as shall be appointed by the Warden of either of the said Townes, where he shall inhabit, for the time being, elect and sworn, vpon paine of forfeiture thereof to the King. And euery Warden of either of the said Townes shall limit distinct and severall markes to euery of the said Worsted weauers of the same Townes of great Parmonth and Linne, and the same Markes by the said Wardens shall be Registered in a booke. And all Clothes of Worstedes, Sayes, and Stammins, made within any of the said towns of Linne and great Parmonth, or the Suburbes of the same, or any of them, and marked with such markes as shall be limited to the makers by the said Wardens of the said Townes of Linne and Parmonth, in maner and forme aforesaid, and weaved and sealed by any of the Wardens of the said Townes, in forme aboue remembred, may be lawfully put to sale by the owners and makers of the same, without any other marking or sealing vpon the said Clothes, or vpon any of them, to be had or made by any other Wardens dwelling without the said Towne, and without any arrest, seizure, or forfeiture of the said Clothes, or any of them, for lacke of any other Seales, or markes: Any thing contained in the said Statute made 7. Edw. 4. &c. notwithstanding. 14. Hen. 8. 3. 26. H.8.16.

The worsted of Linne and Parmonth shal be died, shorne, and calendred at Norwich.

8 The craft men of Worsted Weauers inhabited within either of the said Townes of Linne and Parmonth, or Suburbes of the same, and the Marchants, or any other person or persons which shall buy of any of the same craftsmen, or of any other person any of the said Clothes of Worstedes, Stammins, or Sayes, made

made within either of the said Townes of Linne and Parnmouth, and sealed by the Wardens of the same Towns, or any of them, shall not beare, dye, or put in color, or calender any Woosteds, Staminins, or Sayes, made within either of the said Townes of Linne and Parnmouth, or Suburbs of the same, in any other place, but onely within the Citie of Norwich, or Suburbs of the same, upon pain of forfeiture of euery piece of Woosteds, Sayes, or Staminins, to be made within any of the said Townes of Linne and Parnmouth, or Suburbs of the same, or the value thereof, if shorne, dyed, coloured, or calendered by any of the said craft-men, buyers, or Parchants, in any other place then in the said Citie of Norwich, or Suburbs, of the same: The one halfe thereof to the King, & the other halfe to such person or persons as shall seise the same: So that the said Woosteds brought to the said Citie of Norwich to be shorne, dyed, coloured, and calendered, without rouin or trait of any of the said Inhabitants and Parchants, may be shorne, dyed, coloured, & calendered, at and by as convenient price, & in as readie wise, as the said Inhabitants of Linne or Parnmouth, and Parchants buyers, or other of the said Citie or Countie hath had in times past, or hereafter shall haue, and also that euery of them so bringing their said Woosteds to the same Citie for to be shorne, dyed, coloured, & calendered, be reasonably and lawfully intreated, according to the Statute made Anno 7. E. 4. 14. H. 8. 3. 26. H. 8. 16.

9. Euery piece of Woosted shalbe pursuing through the piece of lawfull making, good, and convenient stuffe, and shall hold the length, and breadth, as the assise was wont to be of old time, rightfully accustomed, viz. Beds of the greatest assise fouretene yards largely in length, and thre yards largely in breadth, And Beds of the meane Assise twelue yards in length and thre yards in breadth, And Beds of the least assise, tenne yards in length, and two yards and a halfe in breadth: And clothes called Spokes clothes, twelue yards in length at the least, and five quarters in breadth, And clothes called Chanon clothes, of the one assise vi. yards in length, and two yards in breadth, and of the other assise five yards in length, & seven quarters in breadth: And double Spottles seuen yards in length, & five quarters in breadth, & single Spottles vi. yards in length, and five quarters in breadth: And double Woosted x. yards in length, and five quarters in breadth, and the halfe double Woosted sixe yards in length, and five quarters in breadth: And the roll of Woosted xxx. yards in length, and halfe a yard in breadth, and no Lankes woll shal be put in any of the said Woosteds. And the Wardens of the Craft of Woosted Weauers of the Citie of Norwich, and Countie of Norfolk, and euery of them for the time being, haue power to seise all such Clothes and stuffe being defective. And the Mayor of Norwich, and Steward of the Duchie of Lancaster, within the said Countie of Norfolk, and euery of them, by twelue of the discret Artificers of the said Citie and Countie, haue power at all times to inquire, heare, and determine of all such as doe against the sayd Dynaunces within the said Citie or Countie. 7. E. 4. 2.

1. Who may buy Worsted Yarnespun in Norwich, or in the Countie of Norfolk. S. Yarne 1.

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The length
and breadth
of Worsted
and Spottley

Wrecke of the sea. Yarne and Thrummes.

Wrecke of the Sea.

which shalbe
said ship-
wreche, and
which not.

Where a man, a Dog, or a Cat escape quick out of the ship, such ship nor barge, nor any thing within them shalbe adindged wreche, but the goods shall be saved and kept by view of the Sherifes, Coroner, or the kings Bailife, and deliuered into the hands of such as are of the Towne where the goods were found, so that if any sue for those goods, and after proue that they were his or his spakers, or perished in his keeping, within a yeare and a day, they shall be restituted to him without delay, and if not, they shall remaine to the King, and be seised by the Sherifes, Coroners, and Bailifs of the Towne, which shall answer before the Iustices, of the wreche, belonging to the King. And where wreche belongeth to an other then to the King, he shal haue it in like maner. And he that otherwise doth, and thereof is attainted, shall be awarded to prison, and make fine at the Kings pleasure, and shall yeild damages also. And if a Bailife doe it and it be disallowed by his Lord, and the Lord will not discharge him thereof, the Bailife shall answer, if he haue whereof, and if he hath not whereof, the Lord shall deliuer his Bailifes bodie to the King. Westmst. 1. 3. Edw. 1. 4.

1 A Coroner shal enquire of the wrecke of the Sea, and the price thereof, and deliuer it to the townes to answer. S. Coroners 11.

2 The King by his Prerogative shall haue the wrecke of the Sea. S. Prerogative 11.

Yarne and Thrummes.

Who may buy
woysted yarne
in Norfolk
or Norwich.

No person shall buy, nor cause to be bought, within the Citie of Norwich or Countie of Norfolk, any yarne called woysted yarne, the which shall bee spunne within the said Citie or Countie, but only weauers, or other Artificers the which shall weaue, or otherwise worke, or cause to be wouen or wrought the said yarne in the said Citie of Norwich, or elsewhere within the said Countie of Norfolk, upon paine of for. for euery pound weight of woysted yarne so brought, e not wouen or wrought, as is aforesaid xl. s. to the R. and J. that shall take the said yarne or otherwise sue for the same by W. P. J. or otherwise, wherein no W. C. J. ec. But it is lawfull to euery hatmaker, dwelling within the Citie of Norwich, to buy such of the said woysted yarne, as is called and known by the name of middle wike yarne, as they haue heretofore used to do, so that the said middle wike yarne so bought be wrought in hats, or imployed to hatmaking within the said Citie. 33. H. 8. 16. 1. E. 6. 6. 5. E. 6. 7.

Middle wike
yarne.

No woysted
yarne shalbe
transported.

2 If any person do ship or conuey, or cause to be shipped to conuey beyond the sea, or else doe carrie or cause to be carried beyond the Sea, any yarne called woysted yarne, and not wrought or made in cloth, so that such yarne be spunne or made within England, then he shall forfeit for euery pound of woysted yarne so shipped, conueyed, or carried fortie shillings to the R. and J. so be recovered by A. B. J. or otherwise, wherein no W. C. J. ec. 33. H. 8. 16. 1. E. 6. 6. 5. E. 6. 7.

No Thrummes
shalbe trans-
ported.

3 Whosoener doth carie or bring out of the Realme any Thrummes or wollen yarne, vnder the colour of Thrummes, shall forfeit the double value of the same. 8. H. 6. 23.

4 No man shall buy yarne of trell, called Wollen yarne, if he will not make cloth thereof, upon paine to forfeit the same yarne, and foure-fold damages, to haue two yeares imprisonment, and to make fine at the Kings pleasure. 8.H.6.5. None shall buy wollen yarne but to make cloth thereof,

1 No wollen Yarne shall be transported, but which is wrought within this Realme. S. Draperie 99.

2 None shall buy coloured Yarne, but in open market. S. Draperie 68.

3 The weauer shall put all the Yarne to the cloth, or restore it. S. Draperie 74.

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Recusants.

the Dominions of the Kings Maieſtie, his heires or ſucceſſors, willingly abſolued, or withſtandone, as aforeſaid, or willingly reconciled, & ſhall preſt obedience to any ſuch pretended authoritie, Prince, State, or Potentate, as aforeſaid, every ſuch perſon or perſons, their Heires, and Counſailors, Ayders, and Maintainers, knowing the ſame, ſhall bee to all intents adiudged Traytors, and being thereof lawfully convicted, ſhall have iudgement, ſuffer and forfeit, as in caſes of High Treason. Provided neuertheleſſe, That the laſt mentioned Clause of this Branch, or any thing therein containned, ſhall not extend, or bee taken to extend, to any perſon or perſons whatſoever, which ſhall hereafter bee reconciled to the Pope or Sea of Rome as aforeſaid (for and touching the point of ſo being reconciled onely) that ſhall returne into this Realme, and thereupon within fix dayes next after ſuch returne, beſore the Biſhop of the Dioces, or two Juſtices of Peace (to wntly or ſeverally) of the Countie where he ſhall arrive, ſubmit himſelfe to his Maieſtie and his Layes, and take the oath ſet forth by Act in the firſt yeare of the Raigne of the late Quene Elizabeth (commonly called the Oath of Supremacie) as alſo the oath beſore ſet downe in this preſent Act, which ſaid Oaths the ſaid Biſhop and Juſtices reſpectively ſhall have power and authoritie by this preſent Act, to miniſter to ſuch perſons as aforeſaid. And the ſaid Oaths ſo taken, the ſaid Biſhop and Juſtices, beſore whom ſuch Oaths ſhall be ſo taken, reſpectively ſhall certifie at the next generall or Quarter ſeſſions of the Peace to bee holden within the ſaid Shire, Limit, Diſtriſſion or Libertie, where in ſuch perſon as aforeſaid ſhall ſubmit himſelfe, and take the ſaid Oaths as aforeſaid, vpon paine of every one neglecting to certifie the ſame as aforeſaid, the ſumme of ſortie pounds. All and every perſon and perſons, that ſhall offend contrarie to this preſent Branch of this Statute, ſhall be indicted, tried, and proceeded againſt, by and beſore the Juſtices of Aſſiſe, and Gaole deliuerie of that Countie, for the time being, or beſore the Juſtices of the Court of the Kings Bench, and be there proceeded againſt, according to the Lawes and Statutes of this Realme, provided againſt Traytors, as if the ſaid offence had been committed in the ſame countie, where ſuch perſon or perſons ſhall be ſo taken, Any Law, Cuſtome, or Statute to the contrarie in any wiſe notwithstanding. Provided alwaies, That if any ſore of this Realme ſhall happen to be indicted of any offence made Treason by this Act, he ſhall haue his triall by his Peeres, as in other like caſes of Treason is accuſtomed 3. Lac. 4. S. Rome 7.

A reconciled
perſon taketh
the oath.

The triall.

Triall by
Peeres.

The ſort. for
not going to
the Church
onir Sunday
S. Br. 1.

50 If any Subject of this Realme, at any time after one moneth next after the end of this preſent ſeſſion of Parliament, ſhall not reſort or reſpaires everie Sunday to ſome Church, Chappell, or ſome other vſuall place appointed for Common Prayer, and there heare Divine ſervice, according to the Statute made in that behalfe, in the firſt yeare of the Raigne of the late Quene Elizabeth, then it ſhall and may be lawfull, to and for any one Juſtice of Peace of that limit, diſtriſſion, or libertie, wherein the ſaid partie ſhall dwell, vpon proſe unto him made of ſuch default by confeſſion of the partie, or oath of witneſſe, to call the ſaid partie beſore him, and if hee or ſhe ſhall not make a ſufficient excuſe, and due proſe thereof, to the ſatisfaction of the ſaid Juſtice of Peace: It ſhall be lawfull for the ſaid Juſtice of Peace, to give warrant to the Churchwarden of the ſaid Pariſh, wherein the ſaid partie ſhall dwell, vnder his hand and Seale, to leuie ry. pence for every ſuch default by diſtreſſe and ſale of the goods of every ſuch offender, rendering to the ſaid offender the overplus of the money raiſed of the ſaid goods ſo to be ſold. And in default of ſuch diſtreſſe, it ſhall and may be lawfull for the ſaid Juſtice of Peace, to commit every ſuch offender to ſome priſon within the ſaid Shire Diſtriſſion, Limit, or Libertie, wherein ſuch offender ſhall be inhabiting, untill pay-
ment

ment be made of the said Summe or Summes so to be forfeited, which forfeiture shall be employed, to and for the use of the poore of that Parish, wherein the offender shall be resident and abiding, at the time of such offence committed. Provided, that no man bee impeached upon this Clause, except hee bee called in question for his said default, within one Moneth next after the said default made. And no man being punished according to this Branch, shall for the same offence bee punished by the forfeiture of xij. pence, upon the Law made in the first yeare of the late Quene Elizabeth. 3. Jac. 4.

Within what time the offence shall be presented.

51 Every person and persons, which after one Moneth next after the end of this present Session of Parliament, shall willingly maintayne, retayne, releue, keepe, or harbour in his or their house, any Seruant, Sojourner, or Stranger, who shall not go to, or repaire to some Church, or Chappell, or vsuall place of Common Prayer, to heare Diuine Service, but shall forbear the same by the space of one Moneth together, not hauing a reasonable excuse, contrarie to the Lawes and Statutes of this Realme, shall forfeit tenne pounds for every Moneth, that he, she, or they, shall so releue, maintaine, retaine, keepe, or harbour any such Seruant, Sojourner, or Stranger, in his, or their house, so forbearing, as aforesaid, And every person which shall within the time aforesaid, retaine, or keepe in his, her, or their seruice, see, or liuerie, any person or persons which shall not go to, or repaire to some Church, Chappell, or vsuall place of Common Prayer, to heare Diuine Service, but shall forbear the same by the space of one Moneth together, shall forfeit for every Moneth, hee, she, or they shall so retaine, keepe, or continue in his, her or their seruice, see, or liuerie, any such person or persons, so forbearing, as aforesaid, knowing the same, tenne pounds, The same penalties to bee recovered and employed in maner and forme hereafter following. Provided neuertheless, that this Act, shall not in any wise extend to punish or impeach any person or persons for maintayning, retaining, releuing, keeping, or harbouring his, her, or their father, or Mother, wanting, without fraud or couyn, other habitation or sufficient maintenance, or the Ward of any such person, or any person that shall be committed by authoritie to the custodie of any by whom they shall bee so relieved, maintained, or kept: Any thing in this Act contained to the contrarie notwithstanding. 3. Jac. 4.

Keeping a Recusant in his house.

Retayning a Recusant.

52 Upon any lawfull Writ, Warrant, or Process, awarded to any Shireffe or other Officer, for the taking, or apprehending of any Popish Recusant, standing Excommunicated for such Recusancie, it shall be lawfull for such Shireffe, or other Officer, authorized in that behalfe if need bee, to breake open any house wherein such person Excommunicat shall bee, or to raise the power of the Countie, for the apprehending of such person, and the better execution of such Warrant, Writ, or Process. 3. Jac. 4.

The Shireffe may apprehend a person Excommunicat.

53 All and every offence to be committed or done against this present Act, shall and may bee inquired of, heard and determined, before the Iustices of the Kings Bench, Iustices of Assise and Gaole deliuerie, in their severall Assises, and Gaole deliueries. And all offences other then Treason, shall bee inquired, heard, and determined, before the Iust. of P. in their generall or quarter Sessions to bee holden within the Shire, Division, Limit, or Libertie, wherein such offence shall happen. 3. Jac. 4.

What Just. shall inquire of offenders.

54 Provided alwaies, that any Attainder of Felony, made felony by this Act, as is aforesaid, shall not in any wise extend to take away the Dowry of the wife of any such person attainted, or bee any barre for the recoverie of the same, nor shall make, or worke any corruption of blood, or disherison of any the heire or heires of any such person or persons so attainted: This Act, or any thing therein contained

The Attainder of Felony no corruption of blood, nor loss of dowry.

to

Recusants.

- Idea in a suit for any law done by force of this Statute.**
 55 If any Action or Actions, shall at any time hereafter be commenced or brought against any person or persons, doing, committing, or commanding any act or thing, for, or concerning the execution of this present Statute, or any article or clause therein contained, Then every defendant in such action and actions, may plead the generall issue, and be receiued to maintaine the same by any evidence that shall prove his doings and proceedings warrantable by this law. 3. Jac. 4.
- Ecclesiasticall jurisdiction reserved.**
 56 This Act, nor any thing therein contained, shall extend to take away or abridge the authoritie or jurisdiction of the Ecclesiasticall Censures for any cause, or matter, But the Commissioners of his Maiestie, his Heires and Successors, in causes Ecclesiasticall for the time being, and the Archbishops, Bishops, and other Ecclesiasticall Judges may do, and proceed, as before the making of this Act they lawfully did or might have done: Any thing in this Act to the contrarie in any wise notwithstanding. 3. Jac. 4.
- Penaltie for the Wives offence.**
 57 No person shall be charged or chargeable with any penaltie or forfeiture by force of this Act, which shall happen for his wifes offence, in not receiuing the said Sacrament, during her Marriage, nor any woman shall be charged or chargeable with any penaltie or forfeiture by force of this Act, for any such offence of not receiuing, which shall happen during her marriage. 3. Jac. 4.
- Taking the Oath of a Noble man.**
 58 In all causes where any Bishop, or Iustices of the Peace, may by force of this Act require and take of any Subject the Oath aboue mentioned, the Lords of the Privie Councell for the time being, or any five of them, whereof the Lord Chancellor, Lord Treasurer, or the principall Secretarie, for the time, to be one, shall have full power and authoritie, by force of this Act, at any time or times, to require and take the said Oathes before mentioned, of any Noble man, or Noble woman (then being aboue the age of 18. yerres.) And if any such Noble man or Noble woman (other then women married) shall refuse to take such Oath or Oathes, in every such case, such Noble man and Noble woman, shall incur the paine and danger of a Praemunire. 3. Jac. 4.
- Passing out of the Cinque Ports.**
 59 Where any person or persons shall go or passe out of the Cinque Ports, or any member thereof, to any parts beyond the Seas, to serue any foraine Prince, State, or Potentate, in every such case the Lord Warden of the Cinque Ports for the time being, or any person by him in that behalfe appointed, or to be appointed, shall have full power and authoritie by vertue hereof to take the bond, and administer the Oath to such Passengers, as is aboue mentioned. 3. Jacobi 4.
- Every person aboue the age of eightene yeares herein intended shall take the oath of Obedience. Before whom each person shall take the Oath. Archbishops and Bishops. Ecclesiasticall Judges and Ministers. Baron or Baronesse or aboue that degree, and privie Councellors and presidents.**
 60 All and every person and persons, aswell Ecclesiasticall as Temporal, of what estate, dignitie, prebeminence, sex, qualitie, or degree sooner hee, shee or they bee, or shall be aboue the age of eightene yeares being hereafter in this Act mentioned and intended, shall make, take and receive, a copozall Oath vpon the Euangelists, according to the tenor and effect of an Oath set forth in a Statute made Anno 3. Jacobi 4. before such person or persons as hereafter in this Act is expressed: That is to say all and every Archbishop and Bishop that now is, or hereafter shall be, before the Lord Chauncel- lor or Lord Keeper of the great Seale for the time being, And all and every Ecclesiasticall Judge, Officer and Minister of what estate, Dignitie, Prebeminence or degree sooner hee or they be or shall be, before the Archbishop of the Province, or Bishop or other Ordinarie of the Dioces for the time being, wherein such ecclesiasticall Judge, Officer, or Minister ought to exercise his said office, place or function. At & every person & persons of or aboue the degree of a baron of parliament or baronesse of this your highnes realme of England & all of your highnesse Privie Councell

Councell, residing in London or Westminster, or within thirtie miles thereof and the Presidents of Wales, and the North parts, before any soure of your Highnesse Privie Councell, whereof the Lord Chauncelour, Lord Treasurer, Lord Privie Seale or principall Secretary for the time being to be one. And if such person or persons live and reside in the Countrie, distant above thirtie Miles from London, then before the Lord Bishop of the Diocesse, or such other person or persons, as the Lord Chauncelour or Lord Keeper of the great Seale for the time being shall thereto by writ of Dedimus potestatem authorize. And every the swoyne servants ordinarie and extraordinary of your Highnesse, the Quens Grace, or of the household of the Prince of Wales, and of the rest of your Highnesse Childezen, before the Lord Steward, the Lord Chamberlaines and Vicechamberlaines to your Highnesse and the Quene, the Treasurer and Controulour of your Highnesse Household, Master of your Highnesse Horse, the Deane of the Chapel, and the knight Marshall for the time being, the Officers of the Crane cloth, or any thre of them. All and every Tempozall Judge, Justices of peace, Sherife, Eschetors, Feodaries and other Officers and Ministers of Justice in this present Act not specially mentioned, and every other person or persons that doth or shall receive any fee of your Highnesse, your heires or successors, before the Lord Chauncelour or Lord Keeper of the great Seale, Lord Treasurer, Lord Admirall, Lord Warden of the fine Ports for the time being, or one of them, or before one of the chiefe Justices either of your Majesties Bench or of the Common Pleas, or before Justices of Assises of the same Countie where the parties reside, or other such persons as the Lord Chauncelour, or Lord Keeper of the said great Seale shall thereto authorize. All Mayors, Bailifes and other chiefe Officers of Cities and Townes Corporate, by what names soever they be called or knowen, before such person or persons as usually administer the Oath to them at their first enterance into their said Offices. All and every the knights, Citizens, Burgesses, and Barons of the fine Ports of the commons house of Parliament at any Parliament or Session of Parliament hereafter to be assembled, before he or they shall be permitted to enter into the said house, before the Lord Steward for the time being, or their depute or deputies, the Master of the Ordinance, Lieutenant of the Tower of London, and Pynt-master there, the foure principall Officers of your Majtie under the Lord Admirall, before the Lord Chauncelour or Lord Keeper of the great Seale, and the Lord Admirall for the time being, or any of them: All the Officers, Ministers, Servants, and others within your said Tower of London before the Lieutenant of the Tower. All the Viceadmiralls, Captaines, Masters, Officers, Ministers, and Souldiers, in your Highnesse ships or any of them before the said foure principall Officers of your Majtie or any two of them: All persons having charge of Castles, Fortresses, Blockhouses, or Garisons, and all Captaines who shall have charge of Souldiers within this your Highnesse Realme, before the Justices of Assise of the same Countie, or before two Justices of the Peace of the same Countie, Citie, or Libertie where the same Castles, Fortresses, or Blockhouses shall stand or the charge of Souldiers shall be. All Doctors, Advocates, and Proctors of the Civile Law, and their Clerkes, before the Bishop of the Diocesse, where they shall for the most part dwell or reside. All and every person and persons tempozall that hereafter shall sue luerie or Ouster le maine out of the hands of your Highnesse, your Heires or successors, before his or their Ouster le maine sued forth and allowed, before the Master of the wards and lueries, or before the Surveyor and Attorney of your Highnesse said Court, in open Court. The Sergeants at Law, servants to the Judges in your Highnesse Courts at Westminster, and all other in the Sergeants Inn, before the chiefe Justice of your Majesties

The swoyne
servants of
the King, &
Prince &c.

Judges, Mi-
nisters of Ju-
stice, and such
as receive the
Kings fee.

Chiefe offi-
cers of Cities
and Townes
Corporate.
Knights, Ci-
tizens, Bur-
gesses.

The Master
of the Ord-
nance Lieut-
enant of the
Tower &c.

Officers ser-
vants in the
Tower.
Officers and
souldiers in
ships.

Captaines of
Castles, sould-
iers.

Doctors,
Proctors, Ad-
vocates of the
Civile Law.

Suors of
Luerie.
Sergeants at
law, and the
Judges ser-
vants.

Justices

Recusants.

Gentlemen of
the Innes of
Court and
principals &c
of the Innes
of Chauncerie.

All of the
Innes of
Chauncery.
Prothonotaries,
Attorneys,
Clerks,
&c.

Clerks and
officers of the
Chauncery.
Parsons
vicars, cur-
rants, &c. schol-
master, vicer.
The vice-
chancellors in
the Universities,
and
Principals
of Colledges,
or Halls.
Fellowes and
Schollers in
Colledges.

Doctors and
practisers of
Physicke.
Aldermen,
Sheriffes, and
free of cities &
Townes cor-
porate.

When the per-
sons aforesaid
shall take the
said Oath.

Who may
tender the
Oath, and to
whom.

Iustices bench, the chiefe Iustice of the Common Pleas and the chiefe Baron of your Exchequer, or some or one of them, all your highnesse Subiects in the Innes of Court, or that hereafter shall be admitted therein, and the Principals and Treasurers of euery Inne of Chauncerie, before the Readers and Benchers of the seuerall houses whereto they belong, or foure of then at the least in their open Halls: All other your Highnesse Subiects aswell auncients as others, not being principall or Treasurer, that now are or hereafter shall be admitted into any Inne of Chauncerie, before the Principall or Treasurer and Auncients of the seuerall Innes of Chauncerie or foure of them in their open Halls. All Prothonotaries, Philozers, Officers, Ministers, Attorneys, and Clerks that now are or hereafter shall be admitted to write or practise in any of your highnesse Courts at Westminister, or in any other court of record, before the Judge or Judges of the same court. All Clerks of the Chauncerie, and all their vnder-clerks, and all other officers of the said Court of Chauncerie, and their Clerks before the Master of the Rolls for the time being, or before two of the Masters of the said court of Chauncerie. All parsons, vicars, & curats, and all other persons ecclesiasticall taking orders, & all and euery Scholmaster and vsher, before the Bishop of the Dioces, or other Primate in the same sitting in open Court. The Vicechancellors of both the Universities for the time being, & the Presidents, Wardens, Prouosts, Masters of Colledges and Halls, and all other heads and principalls of houses, Doctors & Bedles of the Universities, publicly in the Conuocation before the Seniors Masters there present. All and euery other person whatsoeuer, that is or shall be promoted to any degree in Scholre, before the vicechancellor of the said University for the time being in the congregation house. All fellowes of houses and all schollers of halls or Colledges that now are or hereafter shall be received into the same, being vnder the degree of a Baron, before the president, Master, Prouost, Warden or other head or chiefe gouernor of that Colledge, hall or house whereinto he shall be received, and in the open hall. All Doctors of Physick, and all others who practise Physick, that now are or hereafter shall be admitted into the Colledge of Physicians in London before the President of the same Colledge for the time being. And all Aldermen, Sheriffes, and vnderofficers whatsoeuer, of the Cities and Townes Corporate, and all such as hereafter shall be made freemen of the said Citie or Towne Corporate before the Mayor Bayliffes or other chiefe Officer of the said Citie or Towne in the open Hall. 7. Iac. 6.

61 And to the intent, that due execution may be had of the premisses without delay, all the persons before named who haue any certaine time limitted or expressed, when to take the foresaid oath, shall at the time therein prescribed take the same, and the rest within 6. moneths next after the end of this present Session of Parle. 7. Iac. 6.

62 And it shall and may be lawfull to and for any one of the priue Councell of your Highnesse or of your heires and successors, & to & for euery Bishop within his dioces, to require any Baron or Baronesse of the age of 18. yerres, or aboue, to take the said oath, and to & for any two Iustices of peace, within any county, citie, or towne corporate wherof one to be of the Quorum, to require any person or persons of the age of 18. yerres or aboue, vnder the degree of a Baron or Baronesse to take the said oath. And if any person or persons, of or aboue the said age and degree, now stand, or hereafter at any time shall stand, and be presented, indicted, or conuicted, for not comming to Church, or not receiuing the holy communion or Sacrament of the Lords Supper, according to the Lawes and Statutes of this Realme, before the Primate, or other hauing lawfull power to take such presentment or Indictment, then thre of the priue Councell of your Highnesse, your heires or successors wherof the Lord Chauncelor, Lord Treasurer, Lord Primate, or Principall Secretarie to be one, vpon knowledge thereof, shall require such person or persons

to take the said Oath. And if any other person or persons whatsoever, of and about the said age, and under the said degree now stand, or at any time hereafter shall stand and be presented, indicted, or convicted for not coming to Church, or receiving the holy communion or Sacrament of the Lords Supper, according to the Lawes and Statutes of this Realme, before the Ordinarie, or any other having lawfull power to take such presentment or indictment or if the minister, petty Constable, and Churchwardens, or any two of them, shall at any time hereafter complaine to any Justice of Peace, neere adjoining to the place where any person complained of, shall dwell, and the said Justice shall find cause of suspicion, that then any one Justice of Peace within whose Commission or power such person or persons shall at any time hereafter be, or to whom complaint shall be made as aforesaid, shall upon notice thereof, require such person or persons to take the said Oath: And if any person or persons being of the age of eightene yeares or above shall refuse to take the said Oath duly tendered unto him or her, according to the true intent and meaning of this Statute, that then the persons authorized by this Law to give the said Oath, shall and may commit the same offender to the Common Gaole, there to remaine without Baile or mainprise, untill the next Assises or generall quarter Sessions to be holden for the said Shire, Division, Limit, or libertie, where the said Oath shall be againe in the said open Sessions required of such person, by the said Justices of Assise, or Justices of Peace then and there present, or the greater number of them. And if the said person or persons of the age of eightene yeares or above, shall refuse to take the said Oath, being tendered to him or her, by the said Justices of Assise and Gaole delivencie in their open Assises or Gaole delivencie, or the Justices of Peace or greater part of them in their general or quarter Sessions, every person so refusing shall incur the danger and penaltie of Premunire mentioned in a statute made An. 16. Rich. 2. (except women covert, who shall be committed onely to prison, there to remaine without Baile or mainprise, till they will take the said Oath. And every person so refusing to take the said Oath as abovesaid shall be disabled to all intents and purposes, to execute any publicke place of Judicature, or beare any other Office, (being no Office of inheritance or ministeriall function within this your Highnesse Realme of England, or to use or practise the Common Law, or Civil Law, or the Science of Physicke, or Surgery, or the Art of an Apothecary, or any Liberaill Science, for his or their gaine, within this Realme, untill suchtime as the same person shall receive the same Oath according to the intent of this Statute. 7. Jac. 6.

The penaltie for refusing to take the said Oath.

Disabled to execute or practise certaine offices or sciences.

63 And if any married woman (being lawfully convicted as a Popish Recusant for not coming to Church) shall not within thre moneths next after such conviction conforme her selfe, and repaire to the Church, and receive the Sacrament of the Lords Supper according to the former Lawes and Statutes made and provided on that behalfe, touching Recusants, that then she shall be committed to prison by one of the Justice Councill of your Highnesse, your heires or Successors, or by the Bishop of the Diocese, if she be a Baronesse, or if she be under that degree, by two Justices of peace of the same Countie, whereof one to be of the Quorum, there to remaine without Baile or mainprise untill shee shall conforme her selfe, and come to Church and receive the Sacrament of the Lords Supper: untill the husband of such Wife shall pay to the Kinges Maiestie, his heires, or Successors, for the offence of his said Wife, for every moneth terme pound of lawfull money of England, or else the third part (in thre partes to bee divided) of all his Lands and Tenements, at the choise of the husband whose wife is so convicted as aforesaid, for and during so long time as shee continuing a Recusant convicted, shall continue out of prison during which time (and no longer) shee may

The penaltie of a married woman Recusant which shall not come to the Church and receive the Sacrament.

may

Recusants.

may be at libertie, 7. Jac. 6.

The reward
of the discover-
er of an offence

64 Such person as shall first discover to any Justice of Peace, any Recusant, or other person, which shall entertaine or relieue any Jesuit, Seminarie, or Popish Priest, or shall discover any House to have been said, & the persons that were present at such House, and the Priest that said the same, or any of them, within three daies next after the offence committed, and that by reason of such discovery, any of the said offenders be taken and convicted or attainted, Then the person which hath made such discovery, shall not only be freed from the danger and penaltie of any law for such offence, if he be an offender therein, but also shall have the third part of the forfeiture of all such summes of money, goods, chattels, & debts, which shall be forfeited by such offence (so as the same totall forfeiture exceed not the summe of 150. l. and if it exceed the summe of 150. l. the said person so discovering the said offence, shall have the summe of 50. l. onely for everie such discoverie :) And such person so discovering the same, after conviction of the offender, shall have a certificat from the Judges or Justices of B. before whom such conviction shall happen to be, directed to the Shireffe or other Officer of the County, Limit, or place, that shall seize the goods, or lewie the said forfeiture; commanding the said Shireffe or other Officer to pay the same accordingly to him that so discovered the same, out of the moneys to be lewied by vertue of the said forfeitures, which warrant and payment shall be effectuall in the law for that purpose, and a sufficient discharge in that behalfe for the Shireffe or other Officer upon his account. 3. Jac. 5.

A Recusant
shall not come
to the Court.

65 No Popish Recusant convicted, or to be convicted, shall come into the Court or house where the R. Maestie or his heire apparant to the Crowne of England shall be, unlesse he be commanded so to do by the Kings Maestie, his heires or successors, or by warrant in writing from the Lords and others of the most Honorable privie Councell of the R. Maestie, his heires and successors, or any of them, upon paine to forfeit for everie time so offending 100. l. the one moitie to the R. Maestie, his heires and successors, the other moitie to him that will discover and sue for the same by A. B. D. or I. in any of his Maesties Courts of Record, wherein no C. P. M. 2c. 3. Jac. 5.

Recusants
shall depart
from London.

66 All Popish Recusants indicted or convicted, and all other persons which have not repaired to some usuall Church or Chappell, and there heard divine service, but have forborne the same by the space of 3. moneths, last past, contrarie to the Lawes and Statutes of this Realme, dwelling, abiding, or remaining within the Citie of London or the Liberties thereof, or within 10. myles of the said Citie, shall within 3. moneths next after the end of this Session of Parliament, depart from the said Citie of London, and 10. myles compasse of the same, and also shall deliver up their names to the Lord Mayor of London, in case such Recusant doe dwell or remaine within the said Citie of London, or the Liberties thereof: And in case the said Recusant shall dwell or remaine in any other Countie within 10. myles of the same Citie, then the said Recusant shall deliver up his or her name to the next Justice of peace within such Countie where the said Recusant shall so dwell or remaine, within 40. daies after the end of this Session of Parliament, upon paine, that everie person offending herein, shall forfeit to our Soueraigne Lord the Kings Maestie, his heires and successors, the summe of 100. l. the one moitie whereof shall be to the Kings Maestie, his heires and successors, the other moitie to him or them that will sue for the same by A. B. D. or I. in any of the Kings Maesties Courts of Record, wherein no C. P. M. 2c. And all Popish Recusants which shall hereafter come, dwell, or remaine within the said Citie of London or the Liberties thereof, or within 10. myles of the said Citie, which now are, or hereafter shall be indicted or convicted of such Recusancie, or which shall
at

at any time hereafter not repayre to some vsuall Church or Chappell, and there heare diuine seruice, but shall forbear the same by the space of 3. monethes, contrarie to the Lawes and Statutes of this Realme, shall within 10. daies after such Indictment or Conuiction, depart from the said Citie of London, and 10. myles compasse of the same, and also shall deliuer by their names to the Lord Mayor of London for the time being, in case such Recusant shall dwell or remaine within the said Citie of London, or the Libertie thereof: And in case the said Recusant shall dwell or remaine in any other Countie within tenne myles of the same Citie, then the said Recusant shall deliuer by his or her name to the next Justice of peace within such Countie where the said Recusant shall so dwell or remaine, within ten dayes next after such Indictment or Conuiction, vpon paine that euery person offending herein, shall likewise forfeit to our said Soueraigne Lord the Kings Maiestie, his heires, and successours, the like summe of 100. pounds, the one moitie whereof shall be to the Kings Maiestie, his heires and successours, and the other to him or them that will sue for the same by A.B.P. or I. in any of the Kings Maiesties Courts of Record, wherein no C.P.M. is. Provided alwaies, that such person or persons as now vse any Trade, Myserie, or manuell Occupation within the said city of London, or within ten myles of the same, and such as haue or shal haue their onely dwelling within the said Citie, or ten myles compasse of the same, not hauing any other dwelling or place of abode elsewhere, shall or may remaine and continue in such place within the said Citie, or ten myles of the same, as they haue dwelled, inhabited, or remained in by the space of thre monethes next before this present Session of Parliament, Any thing herein contained, to the contrarie notwithstanding. 3. Jac. 5.

67 It shall and may be lawfull for the Kings most excellent Maiestie, his heires and successours, or for thre or more of his Maiesties most Honourable Priuie Councell, or for thre or more of the Priuie Councell of his heires or successours, in writing vnder the hands of the said Priuie Counsellors, to giue Licence to euery confined Recusant to go and trauell out of the compasse of five myles, for such time as in the said Licence shall be contained, for their travelling, attending, and returning, and without any other cause to be expressed within the said Licence. And if any of the persons which are so confined by vertue of the Statute of 35. Eliz. 2. shal haue necessarie occasion or businesse to goe and trauel out of the compasse of the said five myles, then, and in euery such case, vpon licence in writing in that behalf to be gotten vnder the hands and seals of foure of the Justices of peace of the same Countie, Limit, Diuision, or place next adioyning to the place of abode of such recusant, with the priuie and assent in writing of the bishop of the Dioces, or of the Lieutenant, or of any Deputie Lieu tenant of the same Countie, residing within the said Countie or Libertie, vnder their hands and seals, In euery of which Licence or Licences in writing so to be had and made, shall be specified and contained both the particular cause of the said Licence, and the time how long the said partie licenced shall be absent in travelling, attending, and returning, it shall and may thereupon be lawfull for euery such person so licenced, to go and trauell about such their necessarie businesse, and for such time onely for their travelling, attending, and returning, as shall be comprised in the said Licence, the said partie so licenced first taking his corporall othe before the said foure Justices of the peace, or any of them (who shall haue authoritie by vertue of this Act to minister the same) that he hath truly informed them of the cause of his iourney, and that he shall not make any causelesse staies. And all and euery licence hereafter to be made in this behalfe, contrarie to the tenor, effect, and true meaning of this statute, shal be utterly void, Any thing in the said former Act of 35. El. 2. or in this Act to the contrarie notwithstanding. And euery person so confined, which shall depart or go about five myles

Licence to a
Recusant con-
fined to trauei

Recusants.

from the place, wherunto he is oꝛ shalbe confined, not hauing such licence, and not hauing taken such othe as aforesaid, shall incurre the paine and penaltie, and foꝛt. as a Recusant convicted, and passing oꝛ going aboute fīue myles from the said place wherunto he is oꝛ shalbe confined by the said Stat. of 35. El. should doe. 3. Jac. 5. S. 35. El. 2. Br. 26. &c.

A Recusant disabled oꝛ certain offices and functions

68 No Recusant convicted, shall at any time after the end of this Session of parliament, practise the Common Law of this Realme, as a Counsellor, Clerke, Attorney, oꝛ Solicitor in the same, noꝛ shall practise the Civill Law, as Advocate, oꝛ Doctor, noꝛ practise Physicke, noꝛ exercise oꝛ vse the trade oꝛ Art of an Apothecarie, noꝛ shall be Judge, Minister, Clerke, oꝛ Steward of oꝛ in any Court, oꝛ keepe any Court, noꝛ shall bee register, oꝛ town-clerke, oꝛ other minister oꝛ officer in any court, noꝛ shall beare any office oꝛ charge, as capitaine, lieutenant, cozpozall, serjeant, ensigne-bearer, oꝛ other office in campe, troupe, bond, oꝛ companie of Souldiers, noꝛ shalbe capitaine, master, gouernor, oꝛ beare any office oꝛ charge, of, oꝛ in any Ship, castle, oꝛ fortresse of the R. Maiestie. his heirs, and successors, but be utterly disabled foꝛ the same: and every person offending herein, shall also forfeit foꝛ euery such offence 100. l. to the R. & I. to be recovered by A. B. P. I. in any of the kings courts of Record, wherein no C. P. M. &c. 3. Jac. 5.

Recusants shall haue no publicke offices.

69 No Popish Recusant convicted, noꝛ any hauing a wife being a Popish Recusant convicted, shall at any time after the end of this Session of Parliament, oꝛ any popish recusant hereafter to be convicted, oꝛ hauing a wife which hereafter shall be a popish recusant convicted, at any time after his oꝛ her conviction, shall exercise any publicke office oꝛ charge in the commonwealth, but shall be utterly disabled to exercise the same by himselfe, oꝛ by his deputie (except such husband himselfe, and his children which shalbe aboue the age of 9. yeares abiding with him, and his seruants in household, shall once euery moneth at the least, not hauing any reasonable excuse to the contrarie, repaire to some church oꝛ chappell, vsuall foꝛ diuine seruice, & there heare diuine seruice, and the said husband, and such his children & seruants, as are of more age, receiue the Sacrament of the Lords Supper, at such times as are limited by the Lawes of this Realme, and do bring vp his said children in true religion. 3. Jac. 5.

A woman married recusant.

70 Euery married woman being oꝛ that shalbe a popish recusant convicted (her husband not standing convicted of popish recusancie) which shall not confoꝛme her selfe, and remaine confoꝛmed, but shall foꝛbeare to repaire to some church, oꝛ vsuall place of Common Prayer, & there to heare diuine seruice and sermon, if any then be, and within the said yeere receiue the Sacrament of the Lords Supper, according to the lawes of this Realme, by the space of one whole yeare next before the death of her said husband, shall forfeit and lose to the R. Maiestie, his Heires and successors, the issues and profits of two parts of her Joynture, and two parts of her dower in thre parts to be diuided during her life, of, oꝛ out of any the lands, tenements, oꝛ hereditaments, which are, oꝛ were her said husbands, and also be disabled to be executrix oꝛ administratrix of her said husband, and to haue oꝛ demand any part oꝛ portion of her said late husbands goods oꝛ chattels, by any law, custom, oꝛ vsage whatsoever. 3. Jac. 5.

Executrix. Administratrix.

A Recusant disabled as excommunicate.

71 Euery popish recusant, which is oꝛ shalbe convicted of Popish Recusancy, shall stand and be reputed to all intents and purposes disabled, as a person lawfully and duely excommunicated, & as if he oꝛ she had bin so denounced and excommunicated, according to the lawes of this realme, untill he oꝛ she so disabled, shall confoꝛme him oꝛ her selfe, & come to church and heare diuine seruice, & receiue the sacrament of the Lords Supper, according to the Lawes of this Realme, & also take the Othe appointed and prescribed in one other Act made this present Session of Parliament, intituled, An Act foꝛ the better discouraging and repressing of Popish Recusants.

Recusants. And every person or persons sued, or to be sued by such person so disabled, shall and may plead the same in disabling of such plaintiffe, as if he or she were excommunicated by sentence in the Ecclesiasticall court. Provided nevertheless, That it shall and may be lawfull for any such person so disabled, for and notwithstanding any thing in this law contained, to sue or prosecute any Action or Suite, for or concerning onely such of his or her lands, tenements, leases, rents, annuities, and hereditaments, or for the issues and profits thereof, which are not to be seized, or taken into the hands, his heirs, or successors, by force of any law, for, or concerning his, or her Recusancie, or any part thereof. 3. Jac. 5.

what suits a Recusant may prosecute

72 Every man being, or which shall be a Popish Recusant convicted, and who shall be hereafter married otherwise than in some open Church or Chappell, & otherwise than according to the orders of the Church of England, by a Minister lawfully authorized, shall be utterly disabled and excluded to have any estate or freehold into any the lands, tenements, and hereditaments of his wife as tenant by the courtesie of England: And every woman being, or which shall be a popish recusant convicted, & who shall be hereafter married in other forme than is aforesaid, shall be utterly excluded & disabled not onely to claime any dower of the inheritance of her husband, whereof she may be endowable, or any parture of the lands & hereditaments of her husband, or any of his ancestors, but also of her widowes estate, & frank-banke in any customarie lands, whereof her husband died seised, & likewise be disabled & excluded to have or enjoy any part or portion of the goods of her sayd husband by vertue of any custome of any countie, citie, or place, where the same shall lie or be. And if any such man shall be married with any woman, contrarie to the intent and true meaning of this Act, which woman hath, or shall have no lands, tenements, or hereditaments, whereof he may be intituled to be tenant by the courtesie, then such man so marrying, as aforesaid, shall forfeit 100. l. to the K. and A. to be recovered by A. B. P. or J. in any of the K. courts of Record, wherein no C. P. or W. ac. 3. Jac. 5.

The marriage of a Recusant

73 Every Popish Recusant, which shall hereafter have any child boyne, shall within one moneth next after the birth thereof, cause the same child to be baptized by a lawfull Minister, according to the lawes of this realme, in the open church of the said parish where the child shall be boyne, or in some other Church neere adjoining, or chappell where baptism is usually administered: And if by infirmity of the child it cannot be brought to such place, then the same shall within the time aforesaid be baptized by the lawfull minister of any of the said parishes or places aforesaid, upon paine that the father of such child, if he be living by the space of one month next after the birth of such child, or if he be dead within the said moneth, then the mother of such child shall for every such offence forfeit 100. l. of lawfull money of England, one third part whereof to be to the K. his heirs & successors, one other third part to the J. or him that will sue for the same, & the other third part to the poore of the said parish, to be rec. by A. B. P. or J. wherein no C. P. or W. ac. And if any popish recusant, man or woman, not being excommunicated, shall be buried in any place other than in the church or churchyard, or not according to the ecclesiasticall lawes of this realm, the executors or administrators of every such person so buried, knowing the same, or the partie that causeth him to be so buried, shall forfeit the summe of 11. l. the one third part whereof, shall be to our Sovereigne Lord the K. the other third part to the Informer, or him or them that will sue for the same, the other third part to the poore of the parish, where such person died, by A. B. P. or J. wherein no C. P. or W. ac. 3. Jac. 5.

Baptisme of Recusants children.

Buriall of a Recusant.

74 If the children of any subject within this Realme (the said children not being Souldiers, Mariners, Merchants, or their Apprentices or Factors) to prevent their good education in England, or for any other cause, shall hereafter be sent

Children going beyond the Sea.

Recusants.

or goe beyond Seas, without Licence of the Kings Maieſtie, or ſire of his honorable Privie Councell (whereof the principall Secretarie to bee one) vnder their hands and Seales, then all and every ſuch child and childen ſo ſent, or which ſhall ſo go beyond the Seas, ſhall take no benefit by any gift, conveyance, diſcent, deviſe, or otherwiſe, of, or to any Lands, Tenements, Hereditaments, Leaſes, Woods, or Chattels, vntill hee or they being of the age of 18. yeares or above, take the oath mentioned in an Act of Parliament made this preſent ſeſſion, entitled, An Act for the better diſcouering and reſſeſſing of Popiſh Recuſants, beſore ſome Juſtice of peace of the Countie, Libertie, or Limit, where ſuch Parents of ſuch childen, as ſhall be ſo ſent, did, or ſhall inhabite and dwell. And in the meane time, the next of his or her kinne, which ſhall bee no Popiſh Recuſant, ſhall haue and enioy the ſaid Lands, Tenements, Hereditaments, Leaſes, Woods, and Chattels ſo giuen, conueied, diſcended, or deuſed, vntill ſuch time as the perſon ſo ſent or gone beyond the Seas, ſhall conſorme him or ſeſſe, and take the aforeſayd Oath, and receiue the Sacrament of the Lords Supper. And after ſuch Oath taken, and conſoriming of himſeſſe, and receiuing the Sacrament of the Supper of the Lords, bee or they which haue ſo receiued the profits of the ſaid Lands, Tenements, Hereditaments, Woods and Chattels, or any of them, ſhall make account of the profits ſo receiued, and in reaſonable time make payment thereof, and reſſoꝛe the value of the ſaid goods to ſuch perſon as ſhall ſo conſorme him or her ſeſſe, as aforeſaid. And all ſuch perſons as ſhall ſend the ſaid child or childen over Seas, without Licence, as aforeſaid (vneſſe the ſaid child or childen bee Merchants, or their Apprentices or Factors, Mariners, or Soldiers) ſhall ſoꝛfeit 100. l. to bee diuided, had, and recouered in thre equall parts, whereof the one third part ſhall bee to the King, his heires, and ſucceſſors, the other third part to ſuch as ſhall ſue for the ſame, and the other third part to the poore of ſuch Pariſh, where ſuch offendor both inhabite or remains, by A. B. P. or J. wherein no C. P. III. 4c. 3. Jac. 5. S. Iſſuir &c. 14.

Sending child
down beyond
the Sea.

They which
are beyond the
Sea, ſhall re-
turne.

75 And ſoꝛ that many ſubiects of this Realme, being neither Merchants, nor their Factors, nor Apprentices, Soldiers, nor Mariners, are of late gone beyond the Seas without Licence, and are not as yet returned, Be it enacted, that if any of the ſaid perſons ſo gone beyond the Seas without Licence, which are not yet returned, ſhall not within 6. moneths next after their returne into this Realme, then being of the age of 18. yeres, or moꝛe, take the Othe aboue ſpecified, beſore ſome Juſtice of peace of the Countie, Libertie, or Limit where ſuch perſon ſhall inhabite or remaine, then euery ſuch offendor ſhall take no benefit by any gift, conveyance, deſcent, deviſe, or otherwiſe, of, or to any Lands, Tenements, Hereditaments, Woods, or Chattels, vntill he or they being of the ſaid age of 18. yeres, or above, take the ſaid Othe, & that likewiſe in the meane time the next of kin to the perſon ſo offending, which ſhall be no Popiſh Recuſant, ſhall haue & enioy the ſaid Lands, Tenements, Hereditaments, Woods, and Chattels, ſo giuen, conueied, diſcended, or deuſed, vntill ſuch time as the perſon ſo offending ſhall conſorme himſeſſe, & take the aforeſaid Othe, and receiue the ſaid Sacrament of the Lords Supper. And after ſuch conſoriming, taking of the ſaid Othe, and receiuing of the ſaid Sacrament, he or they that ſhall haue ſo receiued the profits of the ſaid lands, tenements, hereditaments, goods, and chattels, ſhall make account of the profits ſo receiued, & in reaſonable time make payment thereof, and of the value of ſuch goods & chattels, to ſuch perſon as ſhall ſo conſorme him or her ſeſſe, as aforeſaid. 3. Jac. 5.

No Recusant
shall preſent
to a Benefice,
nor graunt an
Donation.

76 Euery perſon or perſons that is or ſhall be a Popiſh Recuſant conuiſt, during the time that he ſhall be or remaine a Recuſant, ſhall from and after the end of this preſent ſeſſion of Parliament, be utterly diſabled to preſent to any benefice with cure, or without cure, Prebend, or any other Eccleſiaſticall living, or to col- late

late or nominate to any free Schole, Hospitall, or Donative whatsoeuer, & from the beginning of this present Session of Parliament, shall likewise be disabled to graunt any auoydance to any benefice, prebend, or other Ecclesiasticall liuing, and the Chancelor and Schollers of the Uniuersitie of Oxford, so often as any of them shalbe void, shall haue the presentation, nomination, collation, & donation of and to euerie such benefice, prebend, or ecclesiasticall liuing, schole, hospital, and donative, set, lying, and being in the counties of Oxford, Kent, Middlesex, Sussex, Surrey, Hampshire, Barkeshire, Buckinghamshire, Gloucestershire, Worcestershire, Staffordshire, Warwickeshire, Wiltshire, Somersetshire, Devonshire, Cornwall, Dorsetshire, Herefordshire, Northamptonshire, Wiltshire, Carmarthenshire, Brecknockshire, Denbighshire, Cardiganhire, Montgomeryshire, the citie of London, & in euery citie and towne, being a countie of it selfe, lying and being within any of the limits and precincts of any of the Counties aforesaid, or in or within any of them, as shal happen to be void, during such time as the patron thereof shal be & remaine a Recusant conuict, as aforesaid. And the Chancelor and schollers of the Uniuersitie of Cambridge shall haue the presentation, nomination, collation, and donation of & to euery such benefice, prebend, or Ecclesiasticall liuing, schole, hospitall, & donative, set, lying, & being in the counties of Essex, Hertfordshire, Bedfordshire, Cambridgeshire, Huntingdonshire, Suffolke, Norfolk, Lincolnshire, Rutlandshire, Leicestershire, Derbyshire, Nottinghamshire, Shropshire, Cheshire, Lancashire, Pembrokeshire, the County of Durham, Northumberland, Cumberland, Westmealand, Radnorshire, Denbighshire, Flintshire, Carnaruanthire, Angleseyshire, Merionethshire, Glamorganshire, & in euery citie and towne, being a county of it selfe, lying within any of the limits or precincts of any of the counties last before mentioned, or in or within any of them, as shal happen to be void, during such time as the patron thereof shalbe & remaine a Recusant conuict, as is aforesaid. Provided, that neither of the said Chancelors & Schollers of either the said Uniuersities, shall present or nominate to any benefice with cure, Prebend, or other Ecclesiasticall liuing, any such person, as shall then haue any other benefice with cure of soules. And if any such presentation or nomination shall be had or made of any such person so beneficed, the said presentation or nomination shall bee utterly void. Any thing in this act to the contrary notwithstanding. 3. Jac. 5.

73 Recusants conuicted, or which shall be conuicted at the time of the death of any testator, or at the time of the granting of any Administration, shall be disabled to be executor or administrator by force of any Testament hereafter to be made, or letters of Administration hereafter to be granted, nor shall haue the custodie of any child as Guardian in Chivalrie, Guardian in socage, or Guardian in nurture, of any lands, tenements, or hereditaments, being freehold or copyhold, but shalbe adjudged disabled to haue any such wardship, or custodie of any such child, or of their lands, tenements, or hereditaments, being freehold or copyhold, as aforesaid. And that for the better education & preservation of the said children and of their estates, the next of the kin to such child or children, to whom the said lands, tenements, or hereditaments of such child or children cannot lawfully descend, who shall vsually resort to some church or chappell, & there heare diuine seruice, & receiue the holy sacrament of the Lords Supper thrice in the yere next before, according to the lawes of this realm, shal haue the custodie & education of the same child, & of his said lands & tenements being holden in knights seruice, vntill the full age of the said ward of 21. yeres. And of his said lands, tenements, & hereditaments, being holden in socage, as a Guardian in socage. And of the said lands, tenements, and hereditaments holden by copie of Court-roll of any manor, so long as the custome of the said manor shall permit & allow the same, & in euerie of the said cases shall yeld an account of the profits thereof to the said ward, as the case shall require. And if at any time

A Recusant shall not be executor, administrator, or Guardian.

Recusants.

hereafter, any of the wards of the B. Shaltrie, or of any other, shall be granted or sold to any popish recusant convict, such grant or sale shall be utterly void. 3. Jac. 5.

Popish books

78 No person or persons shall bring from beyond the seas, nor shall print, sell, or buy any popish Primers, Ladies Psalters, Psannels, Rosaries, Popish Catechismes, Missals, Breviaries, Portals, Legends & lives of Saints, containing superstitious matter, printed or written in any language whatsoever, nor any other superstitious bookes printed or written in the English tongue, upon paine of 102s. of 40. s. for every such booke: One third part thereof to be to the B. Shaltrie, his heires, and successors, one other third part to him that will sue for the same, and the other third part to the poore of the parish, where such booke or bookes shall be found, to be recovered by A. B. P. or J. wherein no C. P. M. 3c. And the said bookes to be burned: And it shall be lawfull for any two Just. of P. within the limits of their jurisdiction, or authoritie, and to all mayors, bailifes, and chiefe officers of cities & townes corporat in their liberties, from time to time, to search the houses and lodgings of euerie popish recusant convict, or of euery person, whose wife is or shall be a popish recusant convict, for popish bookes, and reliques of poperie: And if any altar, pir, beades, pictures, or such like popish reliques, or any popish booke or bookes shall be found in their or any of their custodie, as in the opinion of the said Justices, Shaltrie, bailife, or chiefe officer, as aforesaid, shall be thought vniuersall for such recusant, to haue or vse, the same shall be presently defaced and burned, if it be met to be burned: And if it be a crucifixe or other relique of any pyrie, the same to be defaced at the generall quarter Sessions of the peace, in the Countie where the same shall be found, and the same so defaced, to be restored to the owner againe. 3. Jac. 5.

Recusants houses searched.

Popish reliques defaced

Recusants armour.

79 All such Armour, Gunpowder, and Munition, of whatsoever kinds, as any popish recusant convict within this Realme of England, hath or shall haue in his house or houses, or elsewhere, or in the hands or possession of any other at his or their disposition, shall be taken from such popish recusants, or others, which haue or shall haue the same, to the vse of such popish recusant, by warrant of 4. Justices of P. at their generall or quarter Sessions to be holden in the same countie where such popish recusant shall be resident (other than such necessarie weapons, as shall be thought fit by the said 4. Justices of peace, to remaine and be allowed for the defence of the person or persons of such recusants, or for the defence of his, her, or their house or houses) and the said armour and munition so taken, shall be kept and maintained at the costs of such recusants, in such places, as the said 4. Justices of Peace at their said Sessions of the Peace shall set downe and appoint. If any such recusant, hauing, or which shall haue any such armour, gunpowder, and munition, or any of them, or if any other person or persons, which shall haue any such armour, gunpowder, and munition, or any of them, to the vse of any such recusant, shall refuse to declare or manifest vnto the said Just. of P. or any of them, what armour, he, she, or they haue, or shall haue, or shall let, hinder, or disturbe the delivery thereof, to any of the said Justices, or to any other person authorized by their warrant to take and seize the same, then euery such person so offending, contrary to this Stat. in this behalfe, shall 102s. and lose to the B. Shaltrie, his heires, & successors, his & their said armoz, &c. and shall also be imprisoned by warrant of or from any Just. of P. of such countie, by the space of 3. moneths, without baile or maineprie. And yet neuerthelesse, notwithstanding the taking away of such armour, &c. the said popish recusant shall be charged with the maintaining of the same, and with the buying, prouiding, & maintaining of horse, and other armoz & munition, in such sort as other his Shaltrie subjects from time to time shall be appointed and commaunded, according to their seuerall abilities & qualities, and the said armoz & munition at the charge of such popish recusant for them, and as their owne prouision of armoz and munition, shall be shewed at euery Shaltrie, Shew, or vse of armoz, to be

be had or made within the said Countie. 3. Iac. 5.

So provided alwaies, that neither this Act, nor any thing therein contained, Ecclesiastical
shall extend to take away or abridge the authority or iurisdiction of the Ecclesiastical
all causes for any cause or matter, but the Commissioners of his Majesty, his
heirs & successors in causes ecclesiastical for the time being, archbishops, bishops, &
other ecclesiastical Judges may do, & proceed, as before the making of this Act they
lawfully did or might have done, any thing in this Act to the contrary notwithstanding. 3. Iac. 5.

1. The penaltie of such recusants that do refuse to pay their first fruits or tenths.
S. Ecclesiastical 24. 19.

2. Which Iustices may enquire of Recusants. S. Iust. of P. 9.

Redisseisin.

If any man be disseised of his freehold, & doth recover his seisin before the Just. in
Cire, by Assise of Novel disse. or by confession of him which did the disseisin, & hath
seisin delivered unto him by the Shire, if the same disseisors, after the departure of
the Justices, or in the meane time do disseise the same plaintife of the same freehold,
& thereof be convicted, they shall be taken & kept in the K. prison, until the K. hath dischar-
ged them by fine or some other meane. The same remedy shall they have which doe
recover their seisin by assise of Mortdanceter. And the same remedy is of all lands
& tenements recovered in the K. court by iuries, if they be after disseised by the first
disseisors, against whom in any manner they have recovered by Iuries. Merto 20.
H. 3. 3. And they shall have remedie by writ of Redisseisin which have recovered by
default, reddition, or in any other manner, without recognition of assises or Iuries,
W. 2. 13. E. 1. 26. Tenant by Elegit shall have a writ of Redisseisin, W. 2. 13. E. 1.
18. and so shall tenant by Stat. Merch. 13. E. 1. de Mercatoribus.

who shall
maintaine a
writ of Redis-
seisin.

2. When the pl. cometh into the Court, he shall have the K. writ directed to
the Shire, wherein shall be contained his declaration of disseisin done upon disseisin.
And the Shire shall be commanded, that he taking with him 4 coronors, & other law-
ful knights) shall go in his own person to the tenement or pasture whereof the plaint
is made, & that he shall make before them diligent inquirie by the first iurors & other
neighbors & lawful men of the vicinage thereof, & if they find him disseised againe,
then they shall do according as is aforesaid. And if it be otherwise found, the plain-
tife shall be amerced, & the other shall go quit, but the Shire shall not execute any such
plaint without the K. commandement. Merton 20. H. 3. 3.

The cause &
effect of the
writ of Redis-
seisin.

3. In writs of Redisseisin double damages shall be awarded, & they which be tak-
en for Redisseisin, be not replevisable by a common writ, nor shall be delivered
without the K. special commandement, & that upon a fine to be made to the K. for the
offence, & if the Shire do deliver them in any other sort, he shall be grievously amer-
ced, & they for their offence greatly punished. Marl. 52. H. 3. 8. W. 2. 13. E. 1. 26.

The punish-
ment for Re-
disseisin.

1. Writs of Redisseisin shall be inrolled and sent yearly unto the Exchequer,
S. Admeasurement 2.

Reliefe.

If any Carle, Baron, or other of the K. tenants, which holdeth of his grace in ca-
pite by Knights service, do die, & at the time of his death, his heire of full age, and
oweth unto the K. reliefe, he shall have his inheritance for the auntient reliefe, That
is to say, the heire or heires of an Carle for a whole Carle dome 100. l. the heire or
heires of a Baron, for a whole Baronie, 100. marks, the heire or heires of a Knight,
for a whole knights fee, 100. s. at the most, & he that hath lesse shall give lesse, accord-
ding

The reliefe of
an Carle, ba-
ron, & knight's
heire.

Rents.

ding to the auncient custome of fées. Mag. Chart. 9. H. 3. 2.

1 An heire which hath bin in ward, shall haue his inheritance without paying reliefe. S. Wards 3.

2 The heire of full age at the death of his auncestor, shall only pay reliefe to his Lord. S. Wards 9.

Rents.

The remedie for the executoꝝ, for rents due to their testatoꝝ.

The Executoꝝ and Administꝛatoꝝ of euery tenant in fée simple, tenant in fée taile, and tenant for terme of life, of rent seruiſe, rent charge, and fée ſermeſ, vnto whom any ſuch rent oꝝ fée ſerme is oꝝ ſhall be due, and not paid at the time of his death, ſhall and may haue an action of debt for all ſuch arrearages againſt the tenant oꝝ tenants that ought to haue paid the ſame rent oꝝ fée ſermeſ ſo being be- hind, in the life of their Teſtatoꝝ, oꝝ againſt the Executoꝝ and Adminiſtratoꝝ of the ſaid tenants. And alſo further moꝝe it ſhalbe lawfull to euery ſuch executoꝝ and adminiſtratoꝝ of any ſuch perſon oꝝ perſons, vnto whom ſuch rent oꝝ fée ſerme ſhall be due, and not paid at the time of his death, as is afoꝛeſaid, to diſtraine for the arrearages of all ſuch rents and fée ſermeſ, vpon the lands, tencements, and o- ther hereditaments, which were charged with the payment of ſuch rents oꝝ fée ſermeſ, and chargeable to the diſtreſſe of the ſaid teſtatoꝝ, ſo long as the ſaid lands &c. continue, remaine, and be in the ſeiſin oꝝ poſſeſſion of the ſaid tenant in de- meſne, who ought immediately to haue paid the ſaid rent oꝝ fée ſerme ſo being be- hind, to the ſaid teſtatoꝝ in his life, oꝝ in the ſeiſin oꝝ poſſeſſion of any other perſon oꝝ perſons claiming the ſaid lands &c. onely by and from the ſame tenant by pur- chaſe, gift, oꝝ diſcent, in like manner and foꝛme as their ſaid teſtatoꝝ mought oꝝ ought to haue done in his life time, and the ſaid executoꝝ and adminiſtratoꝝ, ſhall for the ſame Diſtreſſe lawfully make auoꝛie, vpon their matter afoꝛeſaid. But this Act ſhall not extend to any ſuch Baroꝝ, Lordſhip, oꝝ Dominion in Wales, oꝝ in the Marches of the ſame, whereof the inhabitants haue vſed time out of the mind of man, to pay vnto euery Lord, oꝝ owner of ſuch Lordſhip, Baroꝝ, oꝝ domi- nion, at his firſt entry into the ſame, any ſum oꝝ ſummes of money for the redemp- tion and diſcharge of all duties, forſeitures, and penalties, wherewith the ſaid in- habitants were chargeable to any of their ſaid Lords, anceſtoꝝ, oꝝ predeceſſoꝝ, be- foꝛe his ſaid entry. 32. H. 8. 37.

Redemption money in Wales.

The huſbands remedie for rent due in the life of his wiſe

2 If any man hauing in the right of his wiſe any eſtate in fée ſimple, fée taile, oꝝ for terme of life, of, oꝝ in any rents, oꝝ fée ſermeſ, & the ſame rents oꝝ fée ſermeſ ſhal be due & vnpaid in the ſaid wiues life, then the ſaid huſband after the death of his ſaid wiſe, his executoꝝ and adminiſtratoꝝ, ſhall haue an action of debt for the ſaid arrearages againſt the tenant of the demeſne that ought to haue paid the ſame, his executoꝝ oꝝ adminiſtratoꝝ. And alſo the ſaid huſband after the death of his ſaid wiſe, may diſtraine for the arrearages, in like manner and foꝛme as he might haue done, if his ſaid wiſe had bene then liuing, and make auoꝛie vpon his matter, as afoꝛeſaid. 32. H. 8. 37.

The remedie for a rent the eſtate whereof dependeth vpon another & life being dead

3 If any perſon oꝝ perſons to which ſhall haue any rents oꝝ fée ſermeſ for terme of life oꝝ liues of any other perſon oꝝ perſons, and the ſaid rent oꝝ fée ſerme ſhall be due behind, & vnpaid in the life of ſuch perſon oꝝ perſons, for whole life oꝝ liues the eſtate of the ſaid rent oꝝ fée ſerme did depend oꝝ continue, and after the ſaid per- ſon oꝝ perſons doe die, then he vnto whom the ſaid rent oꝝ fée ſerme was due, in foꝛme afoꝛeſaid, his executoꝝ and adminiſtratoꝝ, ſhall and may haue an action of debt againſt the tenant in demeſne that ought to haue paid the ſame when it was firſt due, his executoꝝ and adminiſtratoꝝ. And alſo diſtraine for the ſame arre- ages vpon ſuch lands and tencements, out of the which the ſaid rents oꝝ fée ſermeſ were

were issuing and payable, in such like maner and soyme, as he ought o: might haue done, if such person o: persons (by whose death the aforesaid estate in the said rents and six termes was determined) had bin in full life and not dead, And the auoizie for the taking of the same distresse shalbe made in manner and soyme aforesaid. 32. H.8.37.

1 Assise of rent issuing forth of tenements in seuerall Counties, shalbe holden in the borders of the same counties. S. Assise 7.

2 How mesne Lords shalbe answered their chiefe rents due to them during the minoritie of the Kings ward. S. Wards 17.

Remouing of prisoners, or Records.

ND Writs of Habeas corpus, o: Cerciorari, shall be graunted to remoue any prisoner out of any Gaole, o: to remoue any Recognisance, except the same writs be signed with the proper hands of the chiefe Justice, o: in his absence of one of the Justices of the Court, out of the which the same writs shall bee awarded o: made, vpon paine that he that writeth any such writs, not being signed as is aforesaid, to forfeit to the Duene for euerie such writ five pounds. 1. & 2. Ph. & Ma. 13.

Writ to remoue prisoners o: recognisances.

2 The Justices of the Kings Bench (for the time being) haue authoritie by their discretions, to remaund and send downe as well the bodies of all felons and murderers remoued o: brought before the King in his bench, as their indictments, into the Counties whereas the same murders o: felonies haue bin committed and done, and to command all Justices of gaole deliuerie, Justices of peace, and all other Justices and Commissioners, & euerie of them, to proceed & determine vpon all the aforesaid bodies and indictments so remoued, after the course of the common law, in such manner, as the same Justices of Gaole deliuerie, Justices of peace, and other commissioners, o: any of them, mought o: should haue done, if the said prisoners o: indictments had neuer bin brought into the said B. Bench. Anno 6. H.8.6.

Remouing of prisoners out of the B. bench into the Countie to be tried.

3 So writ o: writs of Habeas corpus, o: any other writ o: writs sued forth, o: to be sued forth, by any person o: persons whatsoeuer, out of any of her Maiesties Courts of Record at Westminster, to remoue any Action, suit, plaint, o: cause, depending, o: to be depending, in any Court, o: Courts, within any city, o: towne Corporat, o: elsewhere, which haue o: shall haue Iurisdiction, power, o: authoritie, to hold plea in any action, plaint, o: suite, shall be receined o: allowed by the Judge o: Judges, o: Officer o: Officers, of the Court, o: Courts, wherein, o: to whom any such writ o: writs shall be deliuered, but hee & they shall and may proceed in the said cause and causes, ready to bee tried, as though no such writ o: writs were sued forth o: deliuered to him o: them: Except that the said writ o: writs be deliuered to the Judge o: Judges, Officer o: Officers of the said court, before that the Iurie, which is to trie the cause in question betwene the partie o: parties plaintif, & the partie o: parties that sued forth the said writ, o: writs, o: for whose benefit the said writ o: writs is o: shall be sued forth, haue appeared, and one of the said Iurie sworne to trie the said cause. 43. El. 5. 1. Jac. 25. To continue untill the end of the first Session of the next Parliament.

Remouing a suit out of a towne corporat

1 Where the body of one in execution being remoued by Corpus cum causa, shalbe remaunded. S. Corpus &c. 1.

2 For the remouing of a Repleg. out of the Countie by Recordate. S. Repleuiua 2.

Repleuiua

Repleuin.

Repleuin.

Who shall re-
pleuin a dis-
tresse.

Recordare.

Pledges to
prosecute the
suit, and to
make returne

A distresse tak-
en vpon a
suit commen-
ced by the pro-
curement of
others.

If any mans cattell be taken, and wrongfully withholden, the Sherrife after complaint to him made, may deliuer them, without any let or contradiction of him that took the cattell, if they were taken out of liberties, and if the cattell were taken within any liberties, and the baylifes of the liberties will not deliuer them, then the Sherrife for default of those baylifes, shall cause them to be deliuered. Marl. 52.H.3.21.

2 If any Lords doe distraine their tenants for any seruices or customes be-
ing due vnto them, and the tenants doe repleuin the distresse by writ, or without
writ, and the Lords (at the complaint of the tenants) doe by attachment come to
the Countie, or other Court, hauing power to hold plea De verito namio, and doe
awot their distresse reasonable and iust, if the tenants doe disauow to hold, or doe
claime to hold nothing of him which took the distresse, if such lords in the countie
or other Courts cannot obtaine iustice of their tenants, but shall be amerced, and
their tenants discharged, for that they cannot be punished for the same disauow-
ing by record of that Countie, or other Courts, haning no record: as sone as they
shall be attached at their tenants suit, a writ shall be granted vnto them to remoue
the suit before the Iustices, before whom (and not elsewhere) iustice shall be mini-
stred to such Lords, and the cause shall be declared in the writ (because such a man
hath distrained in his fee for seruices and customes due vnto him) yet this statute
is no derogation to the law commonly vsed, which doth not suffer any plea to be
remoued before the Iustices, at the suit of the defendant. For though at the first
shew the tenant seemeth to be plaintife, and the Lord defendant, yet hauing re-
spect to that the Lord both distraine and sue for his seruices and customes behind,
he shall rather appeare plaintife then defendant. Westm 2.13.Ed.1.2.

3 Least that after the tenant hath repleuied his beasts, he should sell them, or
driue them farre off, whereby the Lord which distraineth cannot haue returne if it
be aduoged for him, the Sherrife or his Baylifes shall not take of the plaintifes
pledges onely to prosecute their suit before they make deliuerance of their beasts,
but also to returne them, if returne be awarded. And if any doe take pledges in
other sort, he shall answer the price of his cattell, and the Lord which distraineth
shall haue his recouerie by writ, that he shall deliuer him so many beasts or cattell,
and if the Bailife haue not wherewith to satisfie, his Lord shall pay it. West.2.13.
Ed.1.2.S.Second Deliuierance.

4 If the Lord of Courts, or other Court holders or Stewards willing to
trouble those which be in subiection vnto them, hauing no lawfull cause or meanes
to grieue them, will procure others to commence suits against them, and doe giue
gages, offer pledges, or purchase writs, and at the suits of such plaintifes will cause
them to resort vnto the Countie, Hundred, Wapentake, and other Courts, vn-
till they haue paid them a fine, according to their owne request, which is not law-
full to be done: Therefore in this case, if any man be attached by any such false
complaints, he shall Repleuin his Distresse so taken, and remoue the Suit be-
fore the Iustices, before whom if the Sherrife, or any other Baylife or Lord (af-
ter the partie so distrained hath framed his complaint) will auow the distress iust
by reason of any such complaints before them made: And if it be replied, that the
complaints were maliciously moued against them, at the instance or procurement
of the Sherrife or other Bailife or Lords, the replication shall be admitted, and if
they be thereupon convicted, they shall paie a grievous amerciament to the King,
and answer to the partie grieved treble damages. Westm 2.13.Edw.1.37.S.
Auowrie,

1 How

1 How many deputies every Shirife shal ordain to make Repleuies, & where. S. Shirifes, 22.

2 Where the shirife shal direct his Precept to the Bailife of a libertie, & where he himsele shal repleuie a distresse. S. Shirifes 30.

In what case an accomptant is not repleuifable. S. Accompt 2.

Restitution.

If any felon or felons doe rob or take away any money, goods, or cattels, from any of the Kings Subiects, from their person, or otherwise within this Realme, and thereof be indicted, and after be arraigned of the same felonie, and found guiltie thereof, or otherwise attainted by reason of euidence given by the partie so robbed, or owner of the said money, goods, or cattels, or by any other by their procurement: then the partie so robbed or owner shall bee restored to his said money, goods, and cattels. And as well the Iustices of gaole deliuerie, as other Iustices before whom any such felon or felons shall be found guiltie, or otherwise attainted by reason of euidence given by the parties so robbed, or owner, or by any other by their procurement, haue power to asward from time to time, writs of Restitution for the said money, goods, and cattels, in like manner, as though any such felon or felons were attainted at the suit of the partie in appeale. 21. H. 8. 11.

Restitution of stolen goods, after the attaintment of the felon.

Returne of Shirifes.

They which doe feare the indirect dealing of Shirifes, may deliner their orignal and iudiciall Writs in the open Countie, or in some other place of the Shire, where collection of the Kings money is made, and may take a Bill of the Shirife or Undershirife, being present, in which shall bee contained the names of the demandants and tenants named in the Writ, and upon his request which deliuered the Writ, the Shirife or Undershirifes seale shall bee put to the Bill for a witnesse (without any thing taking thereof. 2. Ed. 3. 5.) And mention shall be made of the day of the deliuerance of the writ. And if the Shirife or Undershirife will not put his Seale to the same Bill, witnesse shall bee taken of knights and other credible persons which be present, the which shall put their Seales to the same Bill, and if the Shirife will not returne Writs deliuered vnto him, and thereupon complaint be made to the Iustices, a iudiciall Writ shall bee directed to the Iustices of Assise, that they shall enquire by those that were present when the Writ was deliuered vnto the Shirife, if they knowe of the deliuerance, which Inquisition shall bee returned. And if it be found thereby, that the Writ was deliuered vnto him, damages shall bee awarded to the Plaintife or Demandant, hauing respect to the quantitie and qualitie of the Action, and to the perill which might haue chaunced vnto him by the delay which he suffered. (And also the Iustices of Assise haue power to enquire thereof at euery mans complaint, and to asward damages vt supra &c. 2. Edward. 3. 5.) And by this meane remedie shall bee had, when the Shirife doth returne, that the Writ came too late, where by he could not execute the Kings commaundement. Westminster 2. 13. Edw. 1. 39. And such Execution shall bee done of them that make false returnes of writs, whereby right is deferred, with the like paines. 28. Edward. 1. 16. S. Shirifes 10. That euery Shirife shall make a Deputie in the Chauncerie, Kings Bench, Common Place, and Exchequer, to receiue all writs and warrants to be deliuered vnto them.

The manner how writs shall be deliuered to be executed.

Deputies to receiue writs

2 If the Shirife doe returne, that he hath commaunded the Baylifes of some liberty,

Returme of Shirifes.

libertie, which did nothing therein (where indeed there is no such libertie within that Countie, which ever had returme of writs) then the Shirife shal be punished as a disinheritor of the K. and his crowne. West. 2. 13. Ed. 1. 39.

Precept directed to the bailiffs of a libertie.

3 If the Shirife doth retorne, that he hath directed his precept to the Bailifes of some libertie (which indeed haue returme of writs) which did nothing therein, then the Shirife shalbe commaunded, that he shall not omit for any libertie aforesaid, but shall execute the K. commandement, & that he shall warne the Bailifes to whom the returned the writ, that they shall appeare at a day contained in the writ, to answer why they did not execute the K. precept. And if they doe appeare at the day, and do acquit themselves, that the writ was not returned vnto them, the Shirife shall be forthwith condemned to the Lord of the same libertie, & likewise to the parties grieved by the delay, to restore him damages. But if the bailifes do not appeare, or doe appeare, and doe not acquit themselves in forme aforesaid, in every iudiciall writ, so long as that suit dependeth, the Shirife shalbe commaunded, that he spare for no libertie &c. West. 2. 13. Ed. 1. 39.

Non omittat propter aliquam libertatem.

Returning of issues.

4 If the Shirife doe retorne no issues, or small issues, where he may retorne greater, if the Plaintife will desire to heare the Shirifes retorne, he shall, and if he will offer to proue that the Shirife might haue returned greater issues to the King, he shall haue a iudiciall writ to the Iustices of Assise, that they shall enquire in the presence of the Shirife (if he will be present) of what, and how great issues the Shirife might haue made his retorne, from the day of the writ purchased, vnto the day contained in the writ (videlicet, of the retorne thereof) and when the inquisition is returned, if he haue not lawfull answer before, he shall be charged with the ouerplus, by the estreats of the Iustices deliuered into the Exchequer, and neuerthelesse shall be grievously amerced. And the Shirife ought to know, that Rent, Cozne in grange, and all moueables, besides horse, apparell and household stuffe are contained vnder the name of issues. Westminster 2. 13. Ed. 1. 39. S. Iurors 16. 20. 21. 27.

what he issues.

Resistance in executing the Kings writs.

5 The Shirife ought not to retorne that he could not execute the Kings precept, by resistance of the power of any Nobleman, for that retorne tendeth to the dishonour of the King and his Crowne, for as soone as his Underbailifes do testifie that they found such resistance, the Shirife forthwith (all busines set apart, taking with him the power of his Countie) shall goe in his owne person to doe execution, and if he find his Underbailifes false, he shall imprison them (that other men may be warned by their punishment.) And if he find them true, hee shall imprison the resistors, from which prison they shall not be deliuered, without the Kings speciall commaundement. And if the Shirife at his coming doe find such resistance, he shall certifie the Court of the names of the resistors, their aidors, consentors, commaunders, and sauourers, which shall be attached by a iudiciall writ, to appeare at the Kings Court, and if they be convicted of such resistance, they shall be punished at the Kings pleasure. But no officer of the Kings shall meddle in assigning of the foresaid punishment, for the King onely shall doe it, for such resistors are disturbers of his peace and Realme. West. 2. 13. Ed. 1. 39. S. Distresse 4.

Indenture betwixt the Shirife & bailife of franchise of euery retorne.

6 Where shall be an Indenture made betwixt the Baylife of the Franchise, which hath full returme of writs by his proper name, and the Shirife his proper name, of euery retorne which the Bailife of any such Franchise shall make to the Shirife. And if the Shirife doe change the retorne so deliuered vnto him by Indenture, and thereof be attainted at the suite of the Lord of the same Franchise, from whence he hath receiued the said retorne (if the Lord haue receiued any damage, or if his Franchise be impaired) and at the suite of the partie which hath receiued losse by this meanes, hee shall be punished by the King for his false retorne,

returne, and also shall yeld to the Lord and the partie double dammagages. Stat. Eborum. 12. Ed. 1. 5.

7 Shirifes and other Baylifes which receiue the Kings writs, returnable into his Court, shall put their owne names to the returns, so that the court may know of whom they take such returne, if need be, and if any Shirife or other Bailife doe leaue out his name in his returne, he shall be grievously amerced to the R. use. Stat. Eborum 12. Ed. 1. 5.

Sherifes and Baylifes shall put their names to returns.

8 A man shall haue Auement against the false returnes of Baylifes of Fraunchises, which haue full returne of writs, and recouer as well against them, as against the Shirife, as well of small issues returned, as in other cases, so that it be not preiudiciall to the Lords, nor to the impairing of their Fraunchises, and that the estate of holy church be saved, for the punishment shall fall onely vpon the Bailifes by the punishment of their bodies, if they haue not whereof to answer. 1. Ed. 3. 5.

Auement against the returne of Bailifes.

9 If any Shirife, or other hauing authoritie to returne writs, doth make an untrue returne vpon any Capias, in a writ of Excommunicato capiēdo to him directed, that the partie named in the writ hath not yelded his bodie vpon any Proclamation made, where indeed he hath yelded himselfe according to the effect thereof, he shall forfeit to the partie grieved xl. l. to be recouered by A. B. P. J. wherein no W. C. P. 4. c. 5. El. 2. 3. S. Excommunication.

Excommunicato capiēdo

10 Upon any bill, information, or action exhibited or sued against any person being sufficient, vpon the Statute provided 8. Ed. 4. against giuing of Liueries or badges, or unlawfull retaining, if the Shirife or Cozoner doe returne any lesse issues vpon the defendant than xx. s. at the first day of the distresse, at the second day xxx. s. at the third day xl. s. and so at every day after, x. shillings more, he shall forfeit for euery returne made against the forme aforesaid xx. shillings. 8. Ed. 4. 2. S. Shirifes.

Return vpon information, for giuing of Liueries.

11 The chiefe officer or officers of euerie of the R. Courts of reuennue, being of Record, or that shall be of Record, shall haue authoritie to set and asseesse reasonable fines and amerciaments vpon any Shirife or Sherifes for not returning or misreturning of any writ to them directed and deliuered out of any of the same Courts, concerning the leuying or answering of any of the said issues, rents, or reuennues, or of any debt due to the R. in such sort, and after such manner and forme, as now is, or heretofore hath been lawfully used in the like, and such other cases in the R. Court of Exchequer. 7. Ed. 6. 1.

Amerciament of Shirifes for insufficient returnes.

1 What Iurors, and of what sufficiencie, the Shirife in seueral cases shall returne, and vpon what paine. S. Iurors 12. 13. 14. 16. 19. 20.

2 The Sherifes for. for not returning of a Proclamation sent vnto him in any of the xij. shires in Wales, or counties of Lancaster or Chester. S. Exigent 8.

Riots, Routs, Vnlawfull assemblies.

If any Riot, Assembly, or Rout of people, against the law be made in any part of the Realme, the Iustices of P. thre or two of them at the least, and the Shirife, or Undershirife of the Shire where such Riot, Assemblie, or Rout shall be made, shall come with the power of the Countie (if need be) to arrest them. And the same Iustices, Shirifes, or Undershirifes, shall haue power to record that which they shall find done in their presence against the Law, and the same trespassors and offenders shall be conuict by the record of the same Just. Shirife, or Undershirife, in manner and forme as is contained in the Statute of Forcible entries. 17. R. 2. 8. 13. H. 4. 7. S. Forcible entrie 2.

The Iustices & Shirife shall arrest those which commit riots.

2 If it happen that such trespassors and offenders be departed before the coming

Enquire of Riots.

Itt

ming

Riots, Routs, Unlawfull assemblies.

ming of the said Iustices and Sherife or Undersherife, the same Iustices, thre or two of them, shall diligently enquire within a moneth after such riot, assemble, or rout of people so made, and the same shall heare and determine according to the law of this Realme. 13. H. 4. 7.

Certifying of
the riot to the
K. and his
Councell.

3 If the truth cannot be found in maner aforesaid, then within a moneth next after, the same Iustices, thre or two of them, and the said Sherife or Undersherife, shall certifie before the King and his Councell, of the whole fact, and the circumstances thereof, which Certificat shall bee of the same force that a presentment by twelve men is, upon which Certificat the said trespassers and offenders shall be put to answer, and they which shall be found guiltie, shall be punished by the discretion of the King and his Councell. And if the same trespassers and offenders doe traueise the matter so certified, the same Certificat and Trauaise shall be sent into the Kings Bench, there to be tried and determined according to the order of the law. 13. H. 4. 7.

Proces a-
gainst the of-
fenders.

4 If the same trespassers and offenders do not come before the K. and his coun- cell, or into the K. Bench at the first precept, then another precept shall be directed to the Sherife of the Shire, to take the said trespassers and offenders, if they may be found, and to bring them at a certaine day before the K. and his Councell, or into the K. Bench. And if they cannot be found, the Sherife or Undersherife shall make proclamation in his full Countie, next ensuing the deliuerie of the said second precept, that they shall appeare before the K. and his Councell, or in the K. Bench (or in the Chauncerie in the time of vacation) within thre weeks then next following. And if the offenders doe not appeare as is aforesaid, and the proclamation be made and returned, they shall be attained and convicted of the riot, assemble, and rout aforesaid. 13. H. 4. 7.

The for. of
the Iustices
which doe not
execute this
Statute.

5 The Iustices of peace which dwell nextest in euery Countie where such riot of people shall be, together with the Sherife or Undersherife of the same countie, and also the Iust. of Assise, for the time that they shall be in their Sessions (in case any such riot, assembly, or rout be made in their presence) shall do execution of this Stat. euerie one, upon paine of a C. l. to be paid to the K. as often as they shall be found in default of execution of the same Statute. 13. H. 4. 7.

Commissioners
to enquire of
the Iustices &
Sherifes de-
faults.

6 If default be found in the said two Iustices of peace, or Iustices of Assise, and the Sherife or Undersherife of the Countie where such riot, assemble, or rout shall be made, touching the execution that they ought to make by vertue of the said Statute, and whercof the said Statute maketh mention: Then at the instance of the partie grieved, the K. commission shall go out vnder the great Seale, to enquire as well of the truth of the case, and of the original matter for the partie complainant, as of the default or defaults of the said Iustices, Sherife or Undersherife, in this behalfe supposed, to be directed to sufficient and indifferent persons, at the nomination, and by the aduice of the Chaunceloz of England. And the said commissioners incontinent shall send into the Chauncerie the enquests and matters before them in this behalfe taken and found. 2. H. 5. 8.

Upon the co-
mission the
Coroner shall
returne the
Jurie.

7 The Coroners of the same Countie for the time being, in which Countie such riot, assembly, or rout, shall be made, shall make the panell upon the said Commission, returnable, for the time that the Sherife so supposed in default shall remaine in his office, which Coroners shall returne no persons, but onely such which haue lands, tenements, or rents, to the value of x. l. by the pere at the least. And also the same Coroners shall returne upon euerie of the said persons impanelled at the first day, when issues be to be lost, xx. s. at the least, at the second day xl. s. at the least, and at the third day C. s. at the least, and at euery day after, the double at the least, which issues so returned because of non-appearance of such persons impanelled, shall be for. to the King, and leuiable to his vse. And if default be found in the said Coroners,

roners, touching the returne of such persons to be impanelled, or touching the returne of such Issues, as afoze is said, euerie of them shall pay to the R. iij. s. 2. H. 5. 8.

9. And if the said Sherife so reputed in default, be discharged of his office at the time that such Commission shall go out of the Chauncerie, then the new Sherife of the same Countie, his succelloz, immediat or immediat, and not the Coroners, shall make the panel vpon this Commission, returnable in manner and forme, as the said Coroners should do in time when the said Sherife so reputed in default stood in his office. And the same new Sherife shall incur like paine of R. iij. s. to the R. if any default in him be found, touching the returne of other persons by him impanelled, which haue not lands, tenements, or rents, to the value of R. iij. s. by yere, or of returning such issues as the said Coroners be about charged to returne, as the said Coroners be to lose to the R. in this behalfe. 2. H. 5. 8.

where the Sherife and not the Coroners shall returne a Jurie.

10 The Chancelor of England, as soone as he may haue knowledge of such riot, assemblie, or rout, shall cause to be sent the R. writ to the J. of peace, and to the Sherife, or Undersherife of the Countie where they be so made, that they shall put the said Statute of 13. H. 4. in execution, vpon the paine contained in the same. And though that such writ come not to the said Iustices, Sherife, or Undersherife, they shall not be excused of the paine afozesaid, if they make not execution of the said Statute. 2. H. 5. 8.

A writ directed to enquire of Riots.

11 The Iustices and other Officers afozesaid, shall do their offices afozesaid, at the R. costs, in going, tarrying, and returning, in doing their said offices, by payment thereof to be made by the Sherife of the same Countie for the time being, by Indenture betwixt him and the same Iustices, and other officers afozesaid, to be made of the payment afozesaid, whereof the said Sherife vpon his accompt in the Exchequer, shall haue due allowance. 2. H. 5. 8.

Riot haibe repelled & enquired of at the R. costs.

12 Such Rioters attainted of great and hainous Riots, shall haue one whole yeares imprisonment at the least, without being let out of prison by baile, mainprise, or in any other manner during the yeare afozesaid, and the riotors attainted of petie riots, shall haue imprisonment as the King and his Councell shall thinke good. 2. H. 5. 8.

The punishment of Riots.

13 The Kings liege people being able to trauell in the Countie where such Riots, Assemblies, or Routs be, shall be assistant to the Iustices, Commissioners, Sherife, or Undersherife of the same Countie, when they shall be reasonably warned, to ride with the said Iustices, Sherife, &c. in aid to resist such Riots, Routs, and assemblies, vpon paine of imprisonment, and to make fine and rancome to the King. 2. H. 5. 8.

Each man shall helpe to resist Riots.

14 The Bailifes of franchises shall impanell sufficient people as befoze, vpon paine to lose to the R. iij. s. in case that such sufficient persons may be found within the said franchises. And like ordinances and paines shall hold place and take effect in Cities, Boroughes, and other places and townes enfranchised, which haue Iustices of peace within them. 2. H. 5. 8.

Bailifes of franchises.

15 If any riot, rout, or unlawfull assemblie be committed within this realme, the Sherife hauing a W. directed to him, shall returne xxiij. persons dwelling within the Shire, where such Riots &c. shall be so committed, whereof euery of them shall haue lands and tenements within the same Shire, to the yearely value of xx. s. of charter land or freehold, or xviij. s. viij. d. of copyhold, or of both, aboue all charges, for to enquire of the same riot &c. And he shall returne vpon euerie person so by him impanelled in issues at the first day xx. s. at the second i. s. (if that they appeare not and be sworn to enquire of the premises at the first day.) And if default be found in the Sherife or Undersherife, for returning of other persons not being of the said sufficiencie, for not returning issues in forme afozesaid, then the

Riots in Cities & townes corporat.

A Jurie to inquire of Riots.

Sewers.

withstanders to take stiffe, wood, or timber for refusing or not doing, or withstanding as aforesaid, by imposing upon them, or any of them such reasonable and competent fines, or amerciaments, as the said Commissioners any six or more of them, shall in their wisdoms thinke fit: which fines and amerciaments shall by authoritie hercof be leuied by distresse, and sale of the goods of such offendour, and for default thereof, he or they to be by warrant vnder the hands and seales of the said Commissioners, or any six or more of them, committed to the common Gaole of the said Countie, there to remaine vntill they shall paie the same. 7. Jac. 20.

The Commissioners may authorize others to leuie the money assessed.

Imprisonment for default of distresse.

If the Lessee of the land charged do pay the sum taxed, how much thereof he may abate of the lessors rent.

The Commissioners may make orders for preservation of the grounds and also amend the same.

The Commissioners may impose penalties upon such as shall break their orders.

24 It shall and may be lawfull for the said Commissioners, or any six or more of them, as aforesaid, by warrant vnder their hands and seales to giue authoritie, to any person or persons to leuie the said summes of money by them from time to time to be assessed vpon the said persons, or vpon the said lands, meadowes, marshes, lowe grounds, or other the premises charged or chargeable with the same by distresse and sale of the goods of such person or persons, that shall not pay, or refuse to pay the same, and the ouerplus of the value rising vpon such sale shall restore to the said owner of the same. And in default of such distresse to be taken and sold, it shall and may be lawfull to the said Commissioners or any six or more of them as aforesaid to commit him or them so not paying, or refusing to pay the same, to the common Gaole of the said Countie, there to remaine without baile or mainprise, vntill they shall willingly pay the said summe or summes of money so taxed, rated, or assessed by him, or them to be paid as aforesaid. 7. Jac. 20.

25 If it shall happen, that any the said grounds, or other things so drowned, decayed, or endamaged, or in danger to be drowned, decayed, or indamaged by the said decayes and breaches past, or to come, shall be in the hands of lessors or farmours vnder a rent, then in such cases, what part soeuer of the charge shall be set vpon the persons, to whom such rents shall be to be paid, or vpon the lands so holden in farms or lease, if the same be leuied vpon the occupier, farmer or lessee, he shall or may retaine so much of his said rent in satisfaction thereof, as by the said Commissioners or any six or more of them in writing vnder their hands and seales, shall in their discretions be set downe and declared: hauing respect vnto the length or shortnesse of his terme, and the great or small rent that he is to pay for the same: Which Retainer shall be a sufficient discharge against the said lessors, & euery of them, their heires, successors, and assignes, for and concerning the same rent, that shall be so retained, and of and for all other paines, penalties, and forfeitures for not payment thereof. Provided alwaies that the said lessors, farmours, and euery of them, shall pay and satisfie the residue which shall not be retained by vertue of this act, & order of the said Commissioners, vnder such paines, penalties, & forfeitures, as they should or ought to haue paid the same, as if this act, or any such order had not bin had or made. 7. I. 20.

26 The said Commissioners, or any six or more of them shall haue power and authority by vertue of this act from time to time to make, declare, and set downe lawes, ordinances, decrees, & prouisions, for the safeguard, preservation, and safe keeping of the Cliffs & high grounds, lying between the Sea & the said Inlands within the limits aforesaid, from the rage & violence of the sea, & from the breaches, decayes, flowings & ouerflowings thereof, & for the defending, draining, & drawing awaie of the waters, that shall or may ouerflow, or hurt the lands, pastures, or marshes, in the towne, & parishes aforesaid, or any of them; & the said lawes, ordinances, decrees, & prouisions, from time to time to repeale, refoyme, or amend, as occasion shall serue and require. Which lawes, ordinances, decrees, & prouisions, so made & declared (so long as they shall remaine in force) shall be well and truly obserued, performed & kept by all such whom they shall concerne, or to whom they shall appertaine. And the said commissioners or any six or more of them, shall and may set & impose such reasonable and competent paines, penalties & forfeitures, vpon such person

person and persons, as shall willingly or wilfully breake or not obey, obserue and performe the said lawes, ordinances, decrees, and provisions, as they shall thinke convenient. And the said paines, penalties, and forfeitures, so set and imposed, shall be leuied by distress, and sale of any of the offenders goods, or imprisonment in such sort, as any other summe or summes of money, leuyable by this act, shall or may be had or leuied, and the surpluse arising of such sales, shall be restored to the owner.

7. Jac. 20.

27 All and singular fines, paines, penalties, forfeitures, and summes of money to be set, imposed, paid or leuied by vertue of this act, shall be employed in and about the making, repairing, fortifying, and strengthening of the said Cliffs and higher grounds, lying betwene the sea and the said Inlands, within the limits aforesaid, and for the drying of the waters that shall flow into the said lands, pastures, and marshes in the townes and parishes aforesaid, and to none other use whatsoever. Saving that it shall be lawfull to the said Commissioners or any 6. or more of them out of the same to allowe to euery of themselves, for euery day that they shall sit or trauell about the execution of the premises the summe of foure shillings a piece: And to the Collectors, Surveyors, Receiuers, Treasurers, Expenditors, Bailiffs and other Officers and Ministers, which shall be employed in & about the premises, such reasonable allowance, as to the said Commissioners or any six or more of them, in their discretions shall be thought reasonable. 7. Jac. 20.

28 The said Commissioners or any six or more of them, shall and may rate, tare, and asseesse, all such person and persons as be tenants, Farmers, or Occupiers, of any Mannors, Lands or Tenements, Commons or other profits or Hereditaments of our Soueraigne Lord the King, his heires or successors, within y^e townes & parishes aforesaid, to paie and contribute, for & towards the Tetties, Walls, and other y^e premises aforesaid, as for any other, according to their good discretions. And the said Lawes, Ordinances, Decrees, Orders & Provisions to be made & ordained by y^e said Commissioners, or any six or more of them, in or about any thing touching or concerning the premises, shall bind aswell the Lands, Tenements & Hereditaments of our said Soueraigne Lord the King his heires and successors, and his and their Tenants, Farmers and Lessees as aforesaid: as all & euery other person and persons, and their heires, for such their interest, as they shall fortune to haue in any Lands, Tenements, Hereditaments, or other profits, advantage or Commoditie whatsoever they shall be, whereunto the said Lawes, Ordinances, Decrees, Orders, and Provisions shall in any sort extend according to the true purport, meaning and intent thereof. 7. Jac. 20.

29 In case where any Warrant or Precept shall be made or directed to any Officer or Minister, to leuie the said summes of money of any the said person or persons aforesaid, or to take his or their bodie or bodies, or both of them, as the case shall require, if such Officer or Minister shall make returne to the said Commissioners, or any six or more of them, that there are not found goods sufficient of the person or persons, who shall be rated or charged, or whose Lands, Meadowes, Pastures, or other the premises shall be rated, taxed or assessed with the payment of any summe of money as aforesaid, by distress and sale whereof, the said summes of money to be taxed, rated and assessed, may be leuied in such of the said Countiees of Suffolke or Suffolke, wherein the Grounds, Meadowes, Pastures, or other the premises, for in respect whereof, such tax or charge shall be made, shall lie or be, nor that the bodie of such person or persons can be found in that countie: Then the said Commissioners, or any six or more of them, shall and may from time to time make warrants vnder their hands and Seales vnto the Sherifes of the said countiees of Suffolke or Suffolke on which the said Lands, Meadowes, Pastures, or other y^e premises, for or in respect whereof the said Tax or charge was made as aforesaid,

How the penalties and forfeitures shall be employed.

Allowance to the Commissioners and other officers for their poyntes. The Commissioners may asseesse the Farmers of any lands to be contributed. The Commissioners shall bind the &c. all other persons lands.

If remedie where the partie taxed hath not sufficient goods nor his bodie be found within that countie.

to

Sewers.

to be directed, thereby commanding the said Sherife in the next countie court, to be holden after the delivry of such warrant, openly by proclamation, to cal such person or persons, & to commaund him or them to render him or themselves to the said Sherife, at or before the next County court after such proclamation made to be holden, or at or before the said next court, to delivier unto the said Sherife such sum or sums of money as he or they shalbe charged withall, or ought to pay as aforesaid: And if the said person or persons shal after the said proclamations, & before the said next County Court, pay the said sum & sums of money unto the said Sherife, then the said Sherife shall pay over the same unto the said Commissioners, or any six or moze of them: And if the said person or persons shall render him, or themselves before the said next Countie Court, then the said Sherife shall keepe, and detaine him or them in prison, in the common Gaole of the said Countie in such sort as is before appointed by vertue of this Act, for not payment of any Rate, Tax, or Summe of money: And if the same person or persons shall not upon such proclamation, render him or themselves, or delivier such summe or sums of money as aforesaid, at or before the said next Countie Court, in euery such case the said Commissioners, or any six or moze of them shall from thenceforth haue full power and authoritie, and shall and may by vertue of this Act, sell, graunt, or demise, the Lands, Meadowes, Pastures, and other the premises so rated, charged, taxed, or assessed with the payment of any summe or summes of money as aforesaid, or such part thereof, and for such Estate as the said Commissioners or any six or moze of them shall see good, and for the best and highest prices that they can get for the same, to any person or persons that will buy or take the same, and to their heires or otherwise, by deed indented, to be made betwene the said Commissioners, or any six or moze of them, and the said purchasers, and to be acknowledged and enrolled within the Countie, where the said Lands, Meadowes, Pastures and other the premises so to be sold, graunted or demised do lie, before two Iustices of the Peace of the said Countie, whereof one to be of the Quorum and the Clerke of the Peace of the same County: Upon which said sale, graunt, or demise, the said Commissioners or any six or moze of them, shall and may by vertue of this Act, take and retaine to the vles and for the purposes aforesaid, so much as shall amount unto the Summe and Summes that shall be rated, taxed, or assessed and not paid as aforesaid: And if there shall be any remaine upon such sale, the same shall restored to the Owner or Owners of the Lands so sold, graunted or demised: And all and euery such sale, graunt and demise so made, shall be good and effectuell to all and euery purchaser and purchasers, his and their heires and assignes, according to the purport and effect thereof: and the said purchasers their heires and assignes, shall and may by vertue thereof, and of this Act, haue, hold, and enioy the same against the said person and persons, for whose default, neglect, or offence, the same were sold, graunted or demised, and against his heires, and against all and euery person and persons, that shall stand or be seised or possessed thereof, to the vse or behoofe of such person or persons, or in trust for them, or to the intent that the same shall remaine or be at the disposall of the said person or persons. Provided alwaies, that if the said person or persons who shall haue made such default of payment, or rendering of him or themselves, shall at any time before such sale made, paid, or cause to be payed to the said Commissioners, or any six or moze of them, the said Summes of money and all paines and penalties before that time set or imposed upon him or them by force of the said Commission and of this Act, and then not payed or satisfied, that then it shall not bee lawfull for the said Com-

In what case
the Commissi-
oners may sell
or let to farme
the land of the
partie taxed.

It reitefe for
the offendor
paying the
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nalties impos-
ed upon him

saied Commissioners or any of them, for or in respect of such default to make sale of any of his or their saied Lands or Premises, any thing in this Act contained to the contrarie thereof in any wise notwithstanding: Having to all other person and persons, bodies politike or corporate, their Heires and Successors, Executors and Assignes, all such Right, Title, Estate, Interest, and Demaund, as they or any of them had, or should or ought to have, of, in, to, or out of any such Lands, Meadowes, Pastures, and other the Premises so to be sold, graunted, or demised as aforesaid, as if no such sale, graunt or demise had ever been had or made, any thing in this present Act contained to the contrarie in any wise notwithstanding. 7. Jac. 20.

30 The Sherifes of the saied Counties of Norfolk and Suffolke, and either of them, shall cause to come before the saied Commissioners, or any fire or more of them, at such times and places, as the saied Commissioners, or any fire or more of them, shall appoint such and so many good men of their severall Bayliwicks as well within Liberties as without, to whom the truth may be best known to enquire of the Premises mentioned in this Act, which men for their severall defaults, shall lose and forfeit such Issues and Summes of Money, not exceeding the Summe of tenne Shillings of lawfull Money of England, for one default, as by the saied Commissioners, or any fire or more of them, shall be set or imposed upon them, which shall and may be leued by distresse, and sale of goods onely: And for refusing to make enquire, and for other contemptes, shall forfeit and lose such reasonable fines, and Summes of Money, as by the saied Commissioners, or any fire or more of them, shall be imposed upon them, which shall and may be leued by distresse, sale of goods and imprisonment, in such manner and forme, as for the leuying of the summes of money to be rated, taxed, or assessed, is before limited and appointed. And all Sherifes, Bailifes, Officers and Ministers whatsoever of our Soueraigne Lord the King his heires and successors within the countiees aforesaid, as wel within liberties as without, shalbe from time to time attendant, aiding, and assisting, to the saied Commissioners, and euerie fire or more of them, for and concerning all such things, as shall concerne their severall Offices and places respectiue, in or about the execution of all things contained in this Act: Upon paine to forfeit such paines, penalties, fines, and summes of money, as shall be set or imposed upon them, or any of them by the saied Commissioners, or any fire or more of them, for or in respect of their, or any of their Contempts, Misdoing or Negligences in that behalfe, which said Paines, Penalties, fines and Summes of Money shall and may be leued by Distresse, sale of goods and imprisonment, as the said Summes before mentinged to be rated, rated, or assessed, are appointed to be leued: And the said Issues, Paines, Penalties, fines and Summes of Money, set or employed upon the said good men, Sherifes, Baylifes, Officers, and other Ministers shall be employed and disposed of, in such manner and forme, as the said Summes to be rated, rated or assessed, are before appointed to be employed and disposed of. 7. Jac. 20.

31 The saied Commissioners or any fire or more of them, shall haue power and authoritie by force and vertue of this Act to call before them or any fire or more of them, the Collectors, Receiuours, Treasurers, Expeditors, Baylifes and other Officers and Ministers which shall be employed, or haue dealing in, and about the saied workes, or any other thing concerning this Act, or the execution thereof in any sort, and to require and take of them, and euerie of them accompts upon their Othes, of all their, and euerie of their Receipts, Collections, Payments, Disbursements and other doings concerning the same. And if the saied Collectors, Receiuours, Treasurers, Expeditors, Baylifes, or any other the Officers and Ministers aforesaid, shall happen to be found in arerages either

The saving of the right of others.

The Sherifes of Norfolk & Suffolke shall returne Jurors before the Commissioners

Issues for & p Jurors a how they shall be leued.

All Sherifes & officers shall attend & aide the Commissioners.

How the issues & penalties shalbe employed.

The Commissioners may take account of inferior Officers.

in monies or materials, received, or otherwise, then in such case they shall make payment, and give satisfaction in that behalfe, according to such order and direction, as by the said Commissioners or any five or more of them, in writing under their hands and seales, shall be made and set downe: And in default of performance thereof, such Officers and Ministers shall be by Warrant under the hands and seales of the said Commissioners or any five or more of them, distrained by their goods and chattells, and the same to be sold as aforesaid: And in default of such Distresse to be found, it shall be lawfull for the said Commissioners or any five or more of them, to commit such Offenders or Offenders to the common Gaole of the said Countie, there to remaine untill they have paid all such Arerages and summes of Honey, and other things so found to be remaining in their hands, according to the order of the said Commissioners, or any five or more of them, to be made as aforesaid. 7. Jac. 20.

I remede if any of the officers do die before his account made, or the Arerages of his account paid.

32 If any of the said Collectors, Receivours, Treasurers, or other Officers or Ministers which ought to account by the true meaning of this Act, shall die before his or their Account shall be made as aforesaid, in euery such case the said Commissioners, or any five or more of them, may call before them, or any five or more of them, the Executors and Administrators of such Collectors, Receivours, Treasurers, Expeditors, Baylives, and other Officers and Ministers, and require and take of them and euery of them Accounts of all and euery the said Receipts, Collections, Payments, Disbursements, and other doings concerning the same: And if upon the same Accounts any thing shall be found in Arerages, or if the said Collectors, Receivours, Treasurers, Baylives or other Officers or Ministers having made his or their Account shall die before such time, as the Arerages that shall be found upon the same Account shall be paid or satisfied, then in euery such case the said Arerages, by warrant of the said Commissioners, or any five or more of them shall and may be leuied by Distresse and Sale of the goods and chattells that were the said Collectors, Receivours, Treasurers, Expeditors, Baylives or other Officers or Ministers at the time of their feuerall deaths: And if the said Executors or Administrators or any of them shall have wasted the goods and chattells that were the said Collectors, Receivours, Treasurers, Expeditors, Baylives or other Officers or Ministers, then so much of the said Arerages as the said goods and chattells so wasted shall amount unto, shall and may be leuied by Distresse, and Sale of the proper goods and chattells of the said Executors or Administrators as aforesaid: And if the said Executors or Administrators shall have no goods or chattells of their owne in the said Counties of Norfolk and Suffolke, or one of them, whereby the same Arerages may be leuied as aforesaid, then it shall and may be lawfull for the said Commissioners or any five or more of them, by warrant under the hands and seales of any five or more of them, to commit the same Executors or Administrators to the common Gaole of the said Counties of Norfolk or Suffolke, there to remaine without Bayle or Mainprize, untill they shall have paid and satisfied so much as the said goods or chattells so wasted shall amount unto, according to the order of the same Commissioners. 7. Jac. 20.

I remede if the Executors or Administrators of an Accountant hath wasted his goods.

The punishment of an Accountant that refuseth to account.

33 If the said Collectors, Receivours, Treasurers, Baylives, Ministers, or other Officers, their Executors, Administrators, or any of them, being required by the said Commissioners, or any five or more of them, or by any other being thereunto authorized by warrant of the said Commissioners, or any five or more of them, shall refuse or neglect to render such Account as aforesaid, then from time to time it shall and may be lawfull, to and for the said Commissioners or any five or more of them, under their Hands and Seales to commit the person and persons (so refusing or neglecting) to the Common Gaole of the said Counties of

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As folke of Suffolke, there to remaine without baile or mainprize vntil he or they shall haue made such accompt as aforesaid. 7. Lac. : o.

34 If the said Collectors, Receiueurs, Treasurers, Expeditors, Bayliffes or other Officers or Ministers, or any of them, shall die hauing any summe or summes of money, or other thing in his or their hands, which ought to be employed in or about the works aforesaid by vertue of this Act, And whereof he or they hath not, or haue not accompted, or hauing accompted was found in arrears, and any Action or Suite for any debt due by him or them, shall be prosecuted against the Executors or Administrators of them or any of them, before such time as such summes of money and other things shall be satisfied and paid, according to the true meaning of this Act, the same Executors or Administrators may plead that the partie deceased whose Executors or Administrators they are, had in his hands at the time of his death such summes of money, or such things of a certaine value, and shew how much, which ought to be employed according to this to this Act, And that the same are not accompted for, or are accompted for and not paid, or answered for, and that ouer and aboue those summes they haue no goods or chattells that were the said persons deceased, at the time of his death, or goods and chattells but of a certaine value, not amounting to the summe demanded, which plea shall be allowed good in law, in as much as the deceased was but a keeper of those summes and other things, and there fore the same ought not to be liable to his debts: And in case such Action or suit shall be commenced after payment and satisfaction of the said summes and other things by the said Executors or Administrators, then the said Executors or Administrators may plead that they fully administered all the goods and chattells that were the said persons deceased, and that they haue no goods or chattells, or no goods or chattells besides such goods and chattells of a certaine value, not amounting to the sum demanded, as their cases shall respectively require, without shewing or alleaging this Act, or any other particularitie or circumstance in that behalfe, vpon such pleas issue may be toynd, and vpon triall of the same issue the whole matter shall be giuen in euidence on both parts according to the very truth thereof: And if vpon the same trial it shall be found, that the said Executors or Administrators haue paid such summes as aforesaid, the same shall be allowed as a good and lawfull administration: And if it be found that they haue no other goods or chattells then as aforesaid, thereupon in such cases the said Executors or Administrators shall haue such indgement as in the like cases vpon trial of the like issues is accustomed by the ordinarie course of the common law: Any debts of what kind soeuer that were owing by the said persons deceased notwithstanding. 7. Lac. 20.

35 If any action of trespassse, or other suit shall happen to be attempted, and brought, against any person or persons for taking any distresse, making of any sale, imprisoning of any person or persons, or any other thing doing by authoritie of this act, the defendant or defendants in any such action or suit, shall or may either plead not guiltie, or otherwise make auowzie, cognisance of iustification for the taking of the said distresses, making of sale, imprisoning, or other thing doing by vertue of this act, alleaging in such auowzie, cognisance or iustification, that the said distresse, sale, imprisonment, or other thing, whereof the plaintife or plaintifes shall complaine was done by authoritie of this act, and according to the tenor, purport, and effect of this act, without any expressing or rehearsall of any matter of circumstance contained in this act, to which auowzie, cognisance, or iustification, the plaintifes shall be admitted to replie, that the defendant did take the said distresse, make the said sale or imprisonment, or did any other act supposed in his declaration, of his own wrong without any such cause alleged by the said defendant; whereupon the issue in euery such action shall be ioined, to be tried by verdict of xij. men, &

Err ij

not

If any Defendant pleades in any suit committed against him for anything done by force of this act.

Sheepe.

not otherwise, as is accustomed in other personall actions: And vpon the triall of that issue, the whole matter to be given on both parts in euidence, according to the verie truth of the same, and after such issue tried for the defendant, or non-suit, or discontinuance of the suit of the party plaintife after apparance, the same defendant to recouer treble damages by reason of his wrongfull veration in that behalfe, with his costs also in that part sustained, & that to be assessed by the same iurie, or iurif to enquire of the damages, as the same shall require. 7. Iac. 20.

Where the defendant shall recover treble damages.
When any land of the countie of Suffolke shall be taxed.

36 When & as often as any rate, tare, assessment or charge shall be made, by vertue of the said commission, & this act or either of them, wherewith or whereby any lands, meadowes, marshes or other the premises in the said countie of Suffolke, or any person or persons for or in respect of the same shall or ought to be charged, in euerie such case, one or moze commissioner or commissioners of the said countie of Suffolke, shall be present at the time of the same taring, rating, assessing, or charging, or shall haue warning giuen vnto him or them, or left for him or them at his or their dwelling house or houses, of the time & place, when & where the said commissioners shall meete & assemble in & about the execution of this act, or else the same rate, tare, assessment, & charge, in, vpon, or in respect of the said lands, meadowes, marshes & premises in the said countie of Suffolke shall be void & of none effect. 7. Iac. 20. This act to continue during the terme of 7. yeres next ensuing the end of this present session of parliament, & from thence to the end of the first session of the then next parliament and no longer: And that neuertheless, all things done and executed in the meane time by vertue of this Act, and of the said Commission, shall stand and remaine in force and effect, and be iustifiable, as if this Act had still remained in force, and continued.

1 After a new Riuer shall be brought from springs out of the countie of Hertf, to London, the same shall be subiect to the Commission of Sewers. S. 3. Iac. 18.

Sheepe.

Transporting of Sheepe.

NO person shall bring, deliuer, send, receiue, or take, or procure to be brought, deliuered, sent, or receiued into any ship, or bottoms, any Rams, Sheepe, or Lambes, or any other kind of Sheep being aliue, to be conueyed out of any the Dominions, vpon paine that euerie such person, his aidors, abettors, procureors, and comforters, shall for his first offence forfeit to the King and I. all his goods for euier to be recovered &c. wherein no W. &c. C. P. &c. And further euerie such offender shall suffer imprisonment one whole yeare, without baile or mainprise, and at the yeares end, shall in some open market Towne, in the fullnesse of the market on the market day haue his left hand cut off, and that to be payed vp in the openest place of such market. 8. El. 2.

The second offence felonie.

2 And euerie person offenders offending against this Stat. shall be adiudged a felon & shall suffer death, as in cases of felonie. But this Act shall not extend to any corruption of blood, or be preiudiciall to any woman claiming dowter, by or from any such offender. 8. El. 2. S. Iust. of P. 15.

No person shall keepe about 2000. Sheepe.

3 No person shall keepe, occupie, or haue in his possession, in his owne proper lands, nor in the grounds of any other, which he shall haue or occupie in farme, nor otherwise haue of his owne proper cattell in vse, possession, or proprietie by any manner of meanes, or couin, aboue the number of 2000. Sheep at one time, with in any parts of this Realme, of all sorts and kinds (alwaies accompting by score to the hundred, and ten such hundreds to the thousand) vpon paine to forfeit for euerie Sheepe that any person shall haue or keepe aboue the number limited by this Act, iij. s. iij. d. to the King and I. &c. to be recovered by A. &c. wherein no W. C. P. &c. But Lambes vnder the age of one whole yere, and as much as shall be from the

Lambes.

the time of the falling of them, vnto the feast of the Nativity of S. John Baptist, shall not be taken for sheepe prohibited by this statute, 25. H. 8. 13.

4 If any person having sheepe of his owne, happen to be made executor, or to be administrator to any person which had sheepe at his death, or happen to be married to any person which shall have sheepe at the time of the marriage, by reason whereof the said person shall by such meanes have aboute the said number of 2000. then he shall lose no penaltie for having aboute the number of 2000. sheepe by such meanes, so that within one yeare next after such advancement, hee doe put to sale, or otherwise dispose so in any of the said sheepe, so to him advanced, or else of his owne sheepe that hee had before, so that aboute one yeare hee shall not keepe, have, or occupie, by any such meanes, or otherwise by any fraud, any more number of them, then is before limited, vpon paine before rehearsed. 25. H. 8. 13.

Sheepe coming by Executorship, or marriage.

5 If any person by his last Will give to any Child within age, any number of sheepe, and appoint them by his last Will to be kept by his executors, or by any other person, untill the aforesaid child shall come to a certaine age limited by his will: Then after the death of the Testator, the said sheepe so being in the possession of the Executors, or of any other person, to the use of any such Child within age, for the time that hee shall be limited to have the said sheepe by the will of the Testator, shall not be accounted against the said Executors, nor any person for having the sheepe, for the intent aforesaid, any of the number of the said sheepe prohibited by this act. 25. H. 8. 13.

Sheep given by will to a Child within age.

6 Euerie person being the Kings temporal Subject, and bozne vnder his obedience, which shall have, or be seised of inheritance, in possession, or in use, or that shall have ioynture in use, or in possession, or shall be tenant in dower, or by the curtesie, or, or in any manors, lands, tenements, pastures, feedings, or libertie of foldage, within any part of this Realme of England, Wales, or the Barches of the same, may have, keepe, and maintaine, vpon the same, his owne demesne lands, and all other his pastures, feedings, and fold-courses, which hee so hath, as many his owne sheepe and Lambs, in number to his proper behoofe, as he lawfully might haue had and kept vpon the same at any time before the making of this Act. 25. H. 8. 13.

Each person may keepe vpon his inheritance &c. as many sheepe as he will.

7 In case any such person having any such estate in use, or in possession, or, or in any lands, tenements, pastures, feedings, or liberties of foldcourses, doe keepe vpon the same the number of 2000. sheepe, or above, then he shall not in any wise keepe or haue any sheepe aboute the number of 2000. vpon any lands, pastures, or feedings, which he shall haue in farme, or otherwise, vpon paine of forfeiture for euerie sheepe, beside the said number of two thousand, iij. shillings iij. pence. 25. H. 8. 13.

He that keepeth 2000. sheep vpon his inheritance, shall not keepe any vpon farme.

8 In case the said demesne lands, tenements, pastures, feedings, and liberties of foldcourses, of any person before rehearsed, suffice not for the feeding, pasturing, and keeping of 2000. sheepe, then any such person may haue or feed vpon the said demesne lands, & vpon his farme holds (which he lawfully may haue) to the said number of 2000. sheepe, and not above, vpon paine of forfe. for euerie sheepe above that number iij. s. iij. d. 25. H. 8. 13.

2000 kept vpon demesnes & farmes.

9 It shall be lawfull to euerie person keeping a household, to haue from time to time such conuenient number of sheepe, aboute the number expressed in this Act, as shall be necessarie for the onely expences of his household, to be provided, kept, and fed, in, and vpon his owne lands, or other lands, such as he lawfully can provide for, in farme, or otherwise, so that he at no time shall haue for the expence of his household, or by colour of the same, aboute the number to him limited by this act, any number of sheepe, more then shall suffice for the onely expences of his household

Sheep for the maintenance of house, about 2000.

Sheepe. Ships, Shipping.

Spirituell
persons.

for one yere, without fraude or couin. 25. H. 8. 13.

10 It is lawfull for all Spirituall persons, to keepe such, and as many Sheepe upon their owne lands, and after such maner, and none otherwise, as they might haue done befoze the making of this Act. 25. H. 8. 13.

Foldcourses
in Port. and
Suffolke.

11 So Lord, owner, or farmer, of any libertie of foldcourses, within any town, Wything, village, or hamlet, within any of the Counties of Suffolke & Suffolke, shall take in farme for terme of yeares, or otherwise, any quillet of land, or pasture, that is to say, any number of acres of land, or pasture, appertaining to any other person or persons, lying within the limit, extent, or precinct of the said libertie of the said foldcourse, but he shall suffer the said person being for the time owner, or lessee of the said quillet, to manure and pasture the same, and also suffer the Sheepe of the said owner or farmer of the said quillet, after the rate of the same quillet, to go with the flocke of the owner, farmer, or occupier of the said libertie, paying the customarie charges for the keeping and feeding of the same, after the rate and vse of the Countie there commonly vsed, without any interruption therein to be made by the said owner, farmer, or occupier of the said libertie, upon paine of forfeiture for euerie time that any such person hauing any such quillet, that shall be disturbed of keeping or pasturing any of his Sheepe, so to be fed and kept after the rate of his quillet, for euerie such Sheepe iij. s. iij. d. But this Branch concerning quillies, shall not be auailable to any owner, or occupier, of any such quillet, to claime or vse any such pasture or feeding of Sheepe in any such foldcourses, but onely where the tenants, owners, & occupiers of any such quillies, haue had, or might haue had heretofore, and of due tie vsed to haue feeding in the said foldcourses, by reason of their occupations of the same quillies, and none otherwise. And where they haue not vsed, ne ought to haue any Sheepe kept within any such foldcourses, by reason of the said tenures, the owners, or occupiers of such foldcourses, may take such quillies lying within their foldcourses in farme, agreeing with the owners or occupiers of the said quillies for the same. 25. H. 8. 13.

Within what
time the suit
shall be com-
menced.

12 So person shall be put to any answere, or losse of any forfeiture, by vertue of this Act, at the suit of any the Kings subiects, by Action, Bill, Plaint, Informa- tion, &c. except the suit be commenced within one yere next after the offence com- mitted, nor by reason of any Presentment, Action, or Information, at the Kings suit, except the same be made for the king within thre yeres next after offence com- mitted. 25. H. 8. 13. S. Actions popular 2. Iustices of P. 85.

1 In what sort, at what time, and how many sheepe any Purueyers may take at one time. S. Purueyers 9.

Ships, Shipping.

Transporting
of fish taken
in English
mens Ships.
Transporting
of fish without
payment of
Customs.

It is lawfull to euerie of the Quenes Subiects at his pleasure, to carie & trans- port out of this Realme, in the Ships or other Vessels of any of the Subiects aforesaid, being with crosse sailes, all and euerie kinds of Herring, and other Sea fish to be taken upon the Seas, by any of the said Subiects. And euerie person which shall by vertue of this Act, transport any Herring, or other sea fish, from any Port or Harbrough of this Realme, to any place out of the Quenes Dominions, shall be free from payment of any subsidie, custome, or pondage money, for the same fish so transported, during the space of five yeares, from the end of the Session of the Parliament begun and holden 2. Aprilis, Añ 13. Eliz. and from thence to the end of the next Parliament after the said five yeres to be summonsed, & from thence during the Quenes pleasure. Añ 5. Eliz. 5. 13. Eliz. 11. But neither the Maior, Burgesse, nor Inhabitants of Kingston upon Hull, shall take aduantage of this Stat. for carrying Herrings, or salted fish to any ports beyond the Sea. 5. Eliz. 5.

2 It is not lawfull to any person in any place within this Realme, to set price, make any restraint, or take, or demand toll, or fare, of any Sea fish brought into this Realme, being taken by any of the Quenes Subjects, in Ships or other vessels of the same Subjects, upon paine to euery person offending contrarie to the meaning hereof, to forfeit the value of the Fish so restrained, priced, tolled, or fared: Any libertie, custome, graunt, priuiledge, &c. notwithstanding. But this Act shall not be prejudiciall to the Maior, Burgeses, &c. or any other Officer of Ringersone upon Hull, but euery of them may take all such Toll, Customs, and summes of money of euery such person as is limited in an Act made 33. H. 8. 33. 5. Eliz. 5.

No price shall be set, or toll taken of fish taken in English mens ships

3 It shall not be lawfull to any person, to cause to be laden and caried in any battome, whereof any stranger, or strangers bozne then be owners, shipmasters, or part owners, any things of what kind or nature soeuer they be, from one Port or Creeke of this Realme, to an other of the same Realme, upon paine to forfeit all the goods so laden, or caried, or the value thereof. 5. Eliz. 5.

Conueying in strangers ships from one Port to an other.

4 No person shall bring into this Realme of England, or any part of the same, any Wine coming out of any of the Countries belonging to the Crowne of Fraunce, or any Load, called Tholose Load, in any other vessell, but onely in such whereof some Subject of the Quenes &c. shall be then onely owner, or part owner, upon paine to forfeit all Wines and Load brought contrarie to the meaning hereof (according to the true meaning of a Statute made 4. H. 7. 10. concerning Wine of the Duchie of Gasconie and Guyon) except, that there may be brought into Wales, or any part within the Countie of Monmouth, Rochell Wines. 5. Eliz. 5.

No French wine or Tholose Load shall be brought in strangers ships.

5 But it shall be lawfull for any person or persons being strangers bozne, to bring yerely in any Ship or vessell, whereof any stranger, or strangers bozne shall be owner, &c. into any of the Hauens, Ports, or Townes of the Isle of Man, any Wines made in any of the Dominions belonging to the Crowne of France, and in any of the same Ports, or Townes, to discharge the said Wine so brought, so that there bee not brought and discharged by the same Strangers, in any such Strangers Vessels in any one yeare, in, or at the sayd Hauens, Ports, and Townes, or any of them, aboue an hundredth Tunnes at the most. In like maner and upon the same condition may Strangers bozne, bring in Strangers ships, any Wines made in the Dominions of Fraunce, into the Hauens, Ports, and Townes of Chepstow & Newport in the Countie of Monmouth, and of Cardife, Carnaruan, Bealwinaries, and other ports, hauens, & Townes of Southwales, and Northwales, or any of them, ouer and beside all Rochell Wines heretofore allowed in this Act, to be brought &c. Sauing to the Quene, her heires, &c. all such duties as she ought to haue for the said wines &c. 5. Eliz. 5. 1. Jac. 25. to continue to the end of the first Session of the next Parliament.

Wine brought in strangers ships.

6 No person using any Ship, Boat, or vessell called Cathe, Ponger, or Picard, or other vessell of like vse, shall in the time of common fishing upon the Sea coasts of Norfolk, and Suffolke, betwene the 14. day of Sept. and the 13. day of Nouemb. from Sunne setting, to Sunne rising, anker upon the maine Sea, or in the common streame, or trade of fishing, where the fishermen vse to drie, upon paine to forfeit their Cathe, Ponger, Picard, &c. with the tackle, and all the fish in the same, or the value thereof: The one halfe to the Qu. her heires, &c. the other halfe to the Bailie, Burgeses, and Comminaltie of great Parmouth, to be employed to the recompensing of damages to the partie, whose Nets shall be cut, and to the buyling and repairing of the decayed Hauen there, and to be taken by way of seizure, or otherwise to be recouered by A. J. &c. 13. Eliz. 11.

Fishing upon the Sea in fishing time.

1 A Denizen which shippeth any goods in a Caracke, or Gally, shall pay all customs

Sherifes.

Names and subsidies as an Alien. S. Customs 2.

2 Where, in what case, and in what manner it shall be lawfull for the owner of a Ship, or a Shipwright, to take an Apprentice. S. Laborours 30.

3 At what time and place the Master of a Ship shall receive and discharge his loading. S. Merchants 5.6.

4 A Master of a Ship shall give notice to a Customer of his loading, time of departing &c. S. Merchants 7.8.

5 The Master of a Ship shall not permit any Brasse, Metall, &c. to be transported, but shall disclose the same. S. Brasse 3.

6 A Ship shall be forfeited wherein is transported Corne, Beere, Butter, Cheese, Herring or Wood, without licence. S. Corne 1.

7 In what case a Ship shall be forfeited, wherein is transported any Leather, or raw Hides. S. Leather 50.

Sherifes.

A Sherife
must have suf-
ficient land.

Such that be
Sherifes as
may attend.

The Sherife
shall continue
within his
Countie.
None shall be
Sherife, or
Under Sherife
above one
yeare.

Patents of
Sherifswillie

In what case
a Sherife may
occupie above
one pere.

NO man shall be Sherife, Baylife of Hundred, Wapentake, or Franchise, or Under-Eschetor, in any Countie, except he have land sufficient in the same Countie, to answer the R. and his people. 6. Ed. 2. 4. Ed. 3. 4. 5. Ed. 3. 5.

2 No Steward or Bailife of any great Lord, shall be made Sherife, except hee be put forth of service: But such a Sherife shall be appointed, which may wholly attend to serve the R. and his people. Lincoln 9. Ed. 2.

3 Everie Sherife within England shall dwell in his proper person within his Bailiwyke, for the time he shall be officer. 4. H. 4. 5.

4 No Sherife, Under Sherife, or Sherifes Clerke, shall remaine in his Bailiwyke or office, above one yeare, and after that yeare, another fit and sufficient person shall be ordained in his place. 1. 4. E. 3. 7. 4. E. 3. 9. And none that hath bene Sherife of any Countie one whole yeare, shall be appointed Sherife of that Countie by the space of thre yeares next insuing, if there be any other sufficient of lands and goods in the same Countie, to answer to the King and his people. 1. R. 2. 1. 1.

(The Under Sherife, and all other Officers within the Citie of London, the Under Sherife, and all other Officers of Sherifes, within the Shire of the Countie of Wiltshyre. 6. H. 8. 1. 8. and such Counties in which any persons at the time of the foresaid Statute made, viz. 25. Feb. Anno Dom. 1444. were inheritable to the office of Sherife, and the Letters patents made to them of the office of Sherife, Under Sherife, Sherifes Clerke onely except. 23. H. 6. 8.) And if a ny Sherife, Under Sherife, or Sherifes Clerke, doe occupie the office of Sherife, Under Sherife, or Sherifes Clerke, contrarie to the foresaid Statutes, or contrarie to the effect or intent of any of them (except before excepted) then he shall forfeit 200. l. yearly, as long as he doth so occupie. And everie Pardon made for such offence, occupation, or forfeiture of the summes before recited, shall be void. And all Patents to be made of any of the said offices, for terme of yeres, for terme of life, in fee simple, or in fee taile, to any of the kings leige people, (except before excepted) shall be void, notwithstanding any clause or sentence of Non obstante put in such Patents. And whosoever doth take upon him to receive, or occupie the said Office of Sherife, by vertue of any such graunts, or Patents, for terme of yeres, for terme of life, in fee simple, or fee taile, shall be forever disabled to be, or beare the Office of Sherife in any Countie of England. And everie of the Kings liege people which will, may sue for the said summe forfeited against him which doth forfeit the same, in an Action of debt in his owne name, and the R. shall have the moitie of all that which is recovered, and he that sueth the other. 23. H. 6. 8. But everie old Sherife of everie Countie, hath full authoritie, as well lawfully to execute & returne everie writ,

writ,

writ, precept, or warrant, in euerie of the R. Courts of Record at Westm, deliue-
red to him, as to do & execute euerie other thing, which to the office of Sherife law-
fully pertaineth at all times during Michaelmas Terme, and Hillarie Terme, vn-
lesse he be before the same time lawfully discharged of his occupation of Sherife,
without sustaining any damage, forfeiture, or paine. 12. Ed. 4. 1. 17. Ed. 4. 6.

5 No Sherife shall let to ferme in any maner his Countie, nor any of his bay-
lywikes, hundreds, or wapentakes. And the Sherife (among other Articles
comprised in his othe) shall bee from time to time sworn, that he shall not let his
Bailliwike to ferme. 4. H. 4. 5. 23. H. 6. 10.

The Sherife
shal not let his
Countie or
bailliwike
to ferme.

6 No Sherife, Undersherife, Bailife of Franchise, nor any other Baylife, by
occasion, or vnder colour of his office, shall take any other thing by themselves, or
by any other person to their vse, or profit, of any person, by any of them arrested,
or attached, nor of any other for them, for the omitting of any arrest, or attach-
ment to be made by their bodies, or of any person by any of them, by force or colour
of their office arrested, or attached, for fine, fee, mainprise, letting to baile, or for
showing any ease or fauour to any such person so arrested, for their reward or pro-
fit, but such as followeth: viz. the Sherife xx. pence, the Bailife which maketh the
arrest, or attachment iij. pence, and the Gaoler (if the prisoner be committed to
his ward) iij. pence. 23. H. 6. 10.

The Sherife
and his Bai-
liffes take for
arrests.

The sherifes
dutie for ma-
king a copie
of a panell.

7 The Sherife, Undersherife, Sherifes Clerke, Steward, or Bailife of Fran-
chise, seruant to the Bailife, or Cozoner, shall not take by colour of his Office, by
himselfe, nor by any other person to his vse, any thing of any person for the ma-
king of any returne or panell. And for the Copie of a panell foure pence. 23.
H. 6. 10.

8 The Sherifes, and all other Officers and ministers aforesaid, shall let out of
prison, all manner of persons by any of them arrested, or being in their ward, by
force of any writ, bill, or warrant, in any action personall, or by reason of any In-
dictment of trespass, vpon reasonable suretie of sufficient persons, hauing sufficient
withyn those Counties where such persons be so let to baile or mainprise, to kepe
their daies in such places, where the said writs, bills, or warrants do require (onely
except those persons which shall be in their ward by condemnation, execution, Ca-
pias velagatum, or Excommunicatum, suretis of peace, and all such persons which
shall be committed to ward by the speciall commandement of any Just. and Elia-
bonds &c.) But if the Sherifes returne vpon any person, Capi corpus, or Redditi-
se, they shall be chargeable to haue the bodies of the said persons at the daies of the
returnes of the said writs, bills, or warrants, in such manner, as they were charge-
able before the making of this act. 23. H. 6. 10.

Bailing of
prisoners, or
persons ar-
rested.

The Sherife
returning Ca-
pi corpus, vel
Redditi se.

9 No Sherife, nor none of the Officers or ministers aforesaid, shal take, or cause
to be taken, or made, any Obligation, for any cause aforesaid, or by colour of their
office, but onely to themselves, of any person, nor by any person which shall be in
their ward, by course of the Law, but in the name of their office, & vpon condition
written, that the said prisoners shal appeare at the day contained in the said writs,
bill, or warrant, & in such places as the said writs, bills, or warrants shall require.
And if any of the said Sherifes, or other Officers aforesaid, take any Obligation in
any other forme by colour of their offices, it shall be void. And he shal take no moze
for the making of any such Obligation, warrant, or precept, by him to be made,
but iij. s. 23. H. 6. 10.

Obligation
for apparance.

10 Euerie of the said Sherifes shal make petyl a Deputie of Record in the R.
court of Chauncerie, R. Bench, common Ples, and in the Erchequer, before that
they shall returne any writs, to receiue all manner of writs, & warrants to be deli-
uered vnto them. 23. H. 6. 10. And euerie Sherife of euerie the 12. Counties in
Wales, & of the Counties Palantine of Lancaster, Chesser, & the citie of Chesser,
shall

The Sherife
shal make a
Deputie in
euerie Court.

Sherifes.

shall haue in the B. Bench, and common places, one sufficient deputie at the least. 5. 6. 26. S. Exigent 7.

Forscitures.

11 All Sherifes, Under Sherifs, Clerkes, Bailifes, Gaolers, Cozoners, Stewards, bailifes of franchises, or any other officers, or ministers, which do contrarie to this foresaid ordinance made 23. H. 6. 10. in any point of the same, shall lose to the party in this behalfe indamaged or grieved his treble damages, and shall forfeit xl. li. at euerie time that any of them do the contrarie in any point of the same, whereof the King shall haue the one halfe, to be employed only to the vse of his house, & the party that will sue, the other halfe. But the Warden of the Fleet, and of the Kings palace at Westm. so; the time being, shall not be prejudiced by this ordinance in his dutie of his office. 23. H. 6. 10. S. Iustices of peace 90.

Wardens of the Fleet, & of the Palace at Westm. ster.

The order of Indictments taken in Sherifs Turnes.

12 Sherifes in their Turnes, & otherwise, when they haue to inquire of malefactors by the B. commandement, or by vertue of their office, shall make such inquisitions of those offenders by ry. lawfull men at the least, which shall put their seales to those Inquisitions (and the Roll of the Inquisition shall be indented, whereof one part shall remaine with the Indictors, and the other with the Sherife, or other which taketh the enquest, so that the Indictment shall not be imbeziled. 1. E. 3. 16.) And if the Sherifs do imprison any other then those which be indicted by such inquisitions, they which be so imprisoned shall haue their action of false imprisonment against the Sherife, as they should haue against any other person which should imprison them without warrant. And the foresaid ordinance prouided for Sherifes shall be obserued of euerie Bailife of libertie. W. 2. 13. E. 1. 13. But if any Indictments or Presentments shall be taken before any Sherifes of Counties, their Under Sherifes, clerkes, baylifes, or ministers, at their Turnes or Lawdayes, they nor none of them haue power to attach, arrest, or put in prison, or to leuie any fines or amerciaments of any person or persons so indicted or presented, by reason of colour of any such indictment or presentment, nor to take of any such person so indicted or presented any fine or ransome, but they shall bring and deliuer all such indictments & presentments to the J. of P. at their next Session of the peace, that shall be holden in the Countie where such Indictments and Presentments shall be taken. And if any of the said Sherifes, Under Sherifs, their Clerkes, Bailifes, & ministers do not bring, deliuer, & present all such Indictments or presentments so taken before them in their Turnes, or Lawdayes, at such sessions of the peace, before the said J. of the P. then they & euerie of them that so shall faile therof, shall for; to the B. xl. l. at euerie time that they or any of them doth contrarie. 1. E. 4. 2.

Indictments taken in the Sherifs Turnes shall be deliuered to the Just. of P.

Just. shall award proces against those which be indicted in the Sherifs Turne.

13 The said Iustices of Peace haue authoritie to award proces vpon all such Indictments and Presentments, as the law doth require, and in like forme as if the same were taken before the said Iustices in the said Countie. And also to arraigne, and deliuer all such persons so indicted and presented before the said Sherifes, Under Sherifes, their Clerkes, Bailifes, & ministers, or any of them, in their said Turnes or Lawdayes. And euerie person which shall be indicted or presented of trespassse, shall make such a fine as shall seeme lawfull by the discretions of the same Iustices. 1. E. 4. 2.

Estreats re- deliuered to the Sherifes by the Justices.

14 The Estreats of the said fines and amerciaments shall be inrolled, and by Indenture deliuered to the said Sherifes, Under Sherifes, their Clerkes, Bailifes, or ministers, or some of them, to the vse and profit of him that was Sherife in the said Countie, at the time of such Indictments or Presentments taken. And if any of the said Sherifes, their Under Sherifes, Clerkes, bailifes, or ministers, do arrest, attach, or put in prison, or cause any fine or ransome, to be taken, or leuie any amerciament of any person so indicted or presented, by reason of any such Indictment or Presentment, taken before them at their Turnes or Lawdayes, before that they haue proces from the said Iustices of Peace, or Estreats deliuered out of the said

India,

Indictments or Presentments: Then the said Sherife which so doth, shall forfeit an hundred pounds: The one halfe to be employed to the expenses of the Kings house, and the other to the partie indamaged, which shall have an Action of debt at the Common Law, and like Procees as in an Action of debt, wherein no *Wt. 4c.* *C. P. 11. E. 4. 2.*

15 But this Act doth not extend to the Sherifes of London, concerning any Indictments or Presentments taken within the said Citie. For to any person which hath Graunts of any Fines or Amerciaments, by any Letters patents of any of the Kings progenitors, bearing date before the tenth day of December, Anno 1. Ed. 4. et Anno Dom. 1461. For to any person having any Liberties or Franchises by any of the said Letters patents, or in any other maner by prescription. 1. Ed. 4. 2.

16 No Sherifes, Undersherifes, Shire Clerkes, neither any person in their names, nor by their commaundement, shall take and enter any plaints in their booke, in any mans name, unlesse the partie plaintife be in proper person present in the Courts, or else by a sufficient Atturney or Deputie that is knowne to be of good name and disposition. And the same plaintife shall find pledges to pursue his said plaint, such persons as are knowne there in that Countie. And the plaintife shall have but one plaint for one trespass, or contract, and if the said Sherifes, Undersherifes, Shire Clerke, take, enter, or cause to be entered, any more plaints, then the plaintife supposed that he hath cause of action against the defendant: Then the said Sherife, Undersherife, &c. that offendeth, shall forfeit for every default *xl. s.* to the King and *3. s.* to be recovered in the Exchequer. And over that, the Justices of Peace in the same Counties, and everie of them, have authoritie upon complaint made by the partie so unlawfully grieved, to examine the said Sherifes, Undersherifes, or Shire Clerke, and plain'tifes: And if they, or one of them find by the examination, default in the said Sherife &c. in entering of the said plaints deceitfully for his advantage, contrary to this Act, When the said Sherife &c. shall be convicted and attaint of the same offence, without further inquirie, he shall forfeit upon the same examination *xl. s.* to the King for every default: and the said Justice that so shall take the examination, shall certifie the same within a quarter of a yeare, into the Exchequer, upon paine of *xl. s.* 1. H. 7. 15.

17 The said Sherifes, Undersherifes, and Shire Clerks, shall make, or cause to be made, a sufficient Warrant to the Bailifes of the Hundred, to attach, summon, & warne the defendants that are so in suit, to appeare and answer to the said plaints. And if there be any default in the said bailifes, in warning of the said defendants, or in executing their office, then the same bailifes shall forfeit for every default to the King *xl. s.* and be attainted thereof by like examination of the Just. of Peace, or everie of them, as is before rehearsed. 1. H. 7. 15.

18 Sherifes, Undersherifes, Shire Clerkes, and their Deputies, shall make none Cstreats, to lewie the said Sherifes amerciaments, untill two Justices of peace (whereof one shall be of the Quorum) have had the view & oversight of their booke, and that the Cstreats be indented betwixt the said Justices, and the said Sherifes, & Undersherifes, and sealed with their Seales, the one part to remaine with the said Justices, and the other part with the said Sherifes, or Undersherifes, for the intent to vnderstand, if any deceit or untrue demeaning be in them in making of their booke. 1. H. 7. 15.

19 Those persons which shall be gatherers of the same amerciaments as baylifes, or other officers, shall be sworn by the said Justices, that they shall take no more money then is forfeited and contained in the said Cstreats sealed with the seales of the said Justices, upon the same paine of forfeiture, as before is rehearsed, thereof the same gatherers to be convicted by the examination of the Justices, or one

Sherifes of London.

Grants of fines.

No plaints shall be entered, but where the plaintife or his Atturney is present. Plegij de prosequendo.

Entering of more plaints then the plaintife hath cause of action.

Examination by the Justice of Peace.

Execution of precepts by Bailifes.

Two Justices shall view the Sherifes Cstreats.

Bailifes shall be sworn to gather, but what is due,

Sherifes.

one of them &c. 11.H.7.15. Neither shall any Sherife bee charged to leuie any issues, nor shall leuie any befoze the same go out of the Exchequer by Estreats. And euerie man shall be charged of those issues forfeited, as well as of amerciaments. And if the Sherife will returne the issues of any Recognisoz, pledge, or mainpernor, which at the time of the returne, was not sufficient to aunswer the said issues and amerciaments, the Sherife himselfe shall aunswere, and shall bee therewith charged in the Exchequer. And if the Sherife returne the names of any Paigner, nor, Juror, or other, but according to the tenor of the writs to him directed, or doe returne the names of any Pledges, except the same Pledges do thereunto consent, he shall be grieuously punished. 27.E.1. Stat. de Finibus.

The Sherife shall execute his Warrant, and no more.

Justices assigned to ouersee the Sherifes estreats.

20 The Justices of Peace shall be appointed and named at the generall Sessions after the feast of S. Michaele, by him that is Custos Rotulorum of the said Countie, or else by the eldest of the Quorum in his absence, to haue the ouersight and controulment of the said Sherifes, Undersherifes, and Shire Clerks, and other of the said officers, and of the said Sherifes amerciaments. And the said Justices of peace vpon suggestion or information of the partie grieved, shall make like processes, as in action of Trespas against the said Sherifes, Undersherifes, or Shire Clerks, or other the aforesaid Officers misdo meaning as is aforesaid, so to appeare befoze them to answer to the said suggestion, or information. 11.H.7.15.

No Sherife shall be Just. of P. in the same Countie

21 No person hauing, vsing, or exercising the office of a Sherife of any Countie or Counties, shall exercise the office of a Justice of the Peace, by force of any Commission, or otherwise, in any Countie or Counties where he shall be Sherife, during the time onely that he shall vse or exercise the said office of Sherifetwike, and euerie act done by authoritie of any Commission of the peace, during the time abovesaid, shall be void. 1.M.1.Parliament 8.

itij. Deputies to make Repleuies.

22 If the Sherife of any Shire (being no Citie, or Towne made Shire) do not within two Moneths after he hath receiued his Patent of Sherifetwike, appoint and proclaime in the Shire-Towne foure Deputies at the least, one dwelling not aboue twelue Miles distant from an other, in the Sherifes name to make Repleuies and deliuerance of distresses, in such manner and forme as the Sherife may or ought to doe, he shall forfeit for euerie Moneth that he shall lacke such Deputies, v. l. to the C. and I. to be recovered by A. I. &c. wherein no W. &c. C. P. &c. 1. & 2. P. & M. 12.

Wrongfull seizure of an other mans lands or goods

23 If any Sherife, Escheator, or other officer of the K. do seise the lands, goods, or cattels of any man, surmising that he is outlawed, because hee is of the same name that some other person is, which is outlawed, the partie shall haue a writ of Idempnitare nominis, & shall find suretie to the Sherife, or other officer, which hath warrant to seise, to answer to the K. the value of the goods or cattels, in case hee cannot discharge himselfe, without any thing theretoze paying. And if the Sherife, or other officer &c. doth not take the same, the partie grieved may haue his suit against him, and recover his double damages: And also the said Officer shall receive grieuous punishments at the Kings hands. 37.E.3.2. And the writ of Idempnitare nominis, is maintainable for the Executors of euerie Testator, as well as the same action was befoze maintainable by the person himselfe, which was molested by cause or colour of any outlawrie. 9.H.6.4.

Idempnitare nominis,

The Sherife shall not seise the goods of a prisoner, vntill he be attainted.

24 If any Sherife, Undersherife, Escheator, Bayliffe of Franchise, or other person do take or seise the goods of any person arrested & imprisoned, befoze the same person be convicted or attainted of felony, according to the Law, or that the same goods be otherwise lawfully forfeited, he shall pay to the partie grieved the double value of the goods so taken or seised, to be recovered by A. of Debt, wherein no W. &c. C. P. &c. 1.R.3.3.

Bayliffes of Hundredes.

25 Hundredors, viz. Bayliffes of Hundredes, which be knowne and swozne in the

the full Countie, shall make execution of all writs which come to the Sherife, and none others (except it be in the great default or notorious disturbance of the Hundredes) and then other persons which be convenient and swozne, shall make execution, so that the people may alwaies know, to whom to resort for such execution (sawing the returne of writs to them which of right ought &c.) And the same Hundredes shall be credible persons, and shall have land sufficient in the same Hundred, or in the Countie where the Hundred is, so that they shall not need to use extortion. Lincoln. 9.Ed.2. 2.Ed.3.5. 3.Ed.3.4. 4.Ed.3.9. And the Sherifes shall place such bailifes for whom they will answer. And so shall those Lords which have Hundredes and Wardens in fee. 14 E.3.9.

26 They which be Sherifes Bailifes one yere, shall not be in any such office by the space of thre yeres next ensuing, except the Bailifes of those Sherifes which have inheritance in their Sherifswiches. 1.H.5.4. Sherifes Bailifes.

27 The Sherife shall have Counter Rolles with the Cozoner, aswell of ap- peales, as of enquests, of attachments, & other things which doe belong to the Co- roners Office. West.1.3.E.1.10. But no Sherife, Constable, Escheator, Cozoner, or any other Bailife of the Kings, shall holde Places of the Crowne. Magna Charta 17. Counter Rolles with the Cozoner.

28 Where the Sherife ought to returne the Kings writ, to a Bailife who hath right to returne the writ, if the Bailife of the franchise doe not make deliuerance of the cattell impounded after the Sherife hath made the returne vnto him, the Sherife shall doe his office without delay, vpon paine of for. of double dammages. West.1.3.E.1.17. Malb. 2.H.3.21. Deliueraunce of cattell by the Sherife.

29 The Duene, her heires and successors Kings or Duenes of this Realme, shall and may yearly chosse, and make for euery of the Counties of Essex and Hertford, Somerset and Dorset, Warwicke and Leicester, Nottingham & Derby, Devon and Berk, one sufficient and able person to be Sherife of the same, in such like maner as is and hath been used to be made for any other Countie within this Realme. And euery person which shall be appointed Sherife for any of the said counties shall be accountable, and used in the order of his accompt, and all other things and allowance to him made in the erchequer and all other courts and places, in such maner and forme, as is commonly used for Sherifes in like case. An 8.Eliz.16 13.Eliz.22. Sherifswiches diuided.

30 No Sherife chosen and made of any one of the foresaid Counties shall pay in any Court of Record for any duetie belonging properly to the office of Sherife, any other fees, or Charges, then onely the one halfe of the charges and fees which he should be compelled to haue payed, if he had been Sherife of two of the said Shires and Counties, as befoze the making of this Act was used. 8.Eliz.16. 13.Eliz.22. But halfe the charges shall be paid for Sherifswiches diuided.

31 Per stat. 7.R. 2.6. Euery Sherife of England ought in proper person to make proclamation of the Stat. of Winchester provided 13.Ed.1. against homicides, burning of houses, robberies, and other felonies, foure times in euery yere, in euery hundred of his Bailiwicke, and by his Bailifes in euery market, aswell within liberties as without. The stat. of Winchester proclaimed.

32 All and euery person and persons, that shall be admitted to, or take vpon him the executing of the office of an Undersherife, in any Shire or Countie, within this Realme of England, befoze he intermeddle with the use, or exercise of the said Office, shall receiue and take a corporall oath vpon the holy Euangelists, befoze the J. of Assise, or one of them, of the same circuit, wherein that Countie is, whereof he shall be Undersherife, or befoze the Custos Rotulorum, or two J. of the peace, whereof one to be of the Quorum of the said Countie, whereof he shall be Undersherife, as aforesaid, for and concerning the Supremacie in such manner Euery Undersherife shall be twice swozne.

Sherifes.

S. Queene 4.

For reward
for the impan-
nelling of an
inquest.

and forme, as that oath is expresse and declared in one act of Parliament made and ordained, Añ 1. Eliz. Together with which oath, he shall in like sort, before the same person or persons, receive and take one other copozall oath as followeth, (that is to saie) I A. B. shall not vse or exercise the Office of Vnderherife corruptly during the time that I shall remaine therein, neither shall or will accept, receive, or take by any colour, meanes, or deuise whatsoever, or consent to the taking of any manner of feor reward, of any person or persons, for the impanelling, or returning of any Inquest, Iurie, or Tales, in any Court of Record for the Queene, or betwixt partie and partie, about ij s. or the value thereof, or such fees as are allowed and appointed for the same, by the lawes and statutes of this Realme. But will, according to my power, truly and indifferently with conuenient speed impanell all Iurors, and returne all such writ or writs touching the same, as shall appertaine to be done, by my duetie or office, during the time that I remaine in the said Office, So helpe me God. And this act shalbe a sufficient warrant to the persons appointed by this Act, to minister the oath aforesaid, for the ministring thereof accordingly. 27. Eliz. 12.

Bailifes of
Franchises,
Sherifes,
Clerkes, and
Deputies,
shall take the
foresaid oaths

33 Every Bailife of Franchise, deputie and Clerke of every Sherife and Vnderherife, and every other person and persons, which shall haue authoritie, or take vpon him to impanell or returne any Inquest, Iurie, or Tales, or to intermeddle with execution of Processe, in any court of Record, shall, before he or they intermeddle with any further execution thereof, receive and take the oaths aforesaid copozally, before the person or persons appointed by this Act to minister the same, or before the head Officer of the place, if it be a towne copozat, chaunging onely the words (the Office of Vnderherife) contained in the oath expresse in this Act, to such words as are conuenient for the deputation, office, or place, in which the partie which taketh the oath, is to be exercised in. And if any the said persons limited to take the oath aforesaid, do take vpon him to impanell or returne any Inquest, Iurie, or Tales, or to intermeddle with the execution of Processe, not having before taken the oaths aforesaid: Then every such person shall forfeit xl l. to the D. and J. to be recovered in any of the D. Courts of Record by A. B. P. J. wherein no M. C. P. 4c. 27. Eliz. 12.

The forfei-
ture of the
D. and J.

34 If any Vnderherife, or other person mentioned in this Act, or any of them, shall doe, or commit any Act or Acts contrarie to the oaths aforesaid, or either of them, or contrarie to the true intent and meaning of this Act, Then euery such person so offending shall forfeit for every such offence to the partie or parties grieved, his or their treble damages, to be recovered by A. B. P. J. in any of the Quenes Courts of Record, wherein no M. C. P. 4c. 27. Eliz. 12. S. Iustices of Peace 100.

How much
sherifes may
take for the
seruing of an
execution.

35 It shall not be lawfull to or for any Sherife, Vnderherife, Bailife of Franchises, or Liberties, nor for any of their or either of their officers, ministers, seruants, bailifes, or deputies, nor for any of them, by reason or colour of their or either of their office or offices, to haue, receive, or take of any person or persons whatsoever, directly, or indirectly, for the seruing and executing of any extent or execution vpon the bodie, lands, goods, or chattels of any person or persons whatsoever, more, or other consideration or recompence, then in this present Act is or shall be limited and appointed, which shall be lawfull to be had, received, and taken, that is to say, xij. s. of and for every xx. s. where the summe extēdeth not 100. l. and vij. s. of and for every xx. s. being ouer and about the said summe of 100. l. that he or they shall so leuie or extend, and deliuer in execution, or take the bodie in execution for, by vertue and force of any such extent or execution whatsoever, vpon paine and penaltie, that all and euery Sherife, Vnderherife, Bailife of Franchises or Liberties, their and euery of their Ministers, Seruants, Officers, Bailifes, or Deputies,

Deputies, which at any time shall directly or indirectly doe the contrarie, shall lose and forfeit to the partie grieved his treble damages, and shall forfeit the summe of xl. l. of good and lawfull English money, for every time that he, they, or any of them shall doe the contrarie, to the Quene and h. to be recovered by A. S. B. or J. wherein no C. A. P. &c

Provided always, that this Act, or any thing therein contained, shall not extend to any fees to be taken or had for any execution within any Citie or Towne corporate: Any thing above mentioned to the contrarie thereof notwithstanding. 29. Eliz. 4.

36 If any Sherife, Undersherife, or other person, having authoritie, or taking upon him to breake Writs, doe make any warrant for the Summons of any person, as upon any writ, proces, or suit, or for the arrest, or attaching of any person or persons by his or their bodie or goods, to appeare in any her Majesties Courts at Westminster, or elsewhere (not having before that the originall writ or proces, warranting the same) Then upon complaint thereof made to the Just. of Assise of the Countie where the same offence shall be committed, or to the Judges of the Court, out of which the proces issued, not onely the partie that made such warrant, but all those that were the procurers thereof, shall be sent for before the same Judges or Justices, by attachments, or otherwise, as the same Judges or Justices shall thinke good, and allow of, and be examined thereof upon their oathes: And if the same offence be confessed by the same offenders, or proved by sufficient witnesses, to the satisfaction of the same Judges or Justices, then the same Judges or Justices that shall so examine the same, shall forthwith by force of this Act commit every such offenders to the Gaole of the Countie or Court, where the same shall be examined, there to remaine without baile or mainprise, untill such time as they amongst them have fully satisfied and paid unto the partie grieved by such warrant, not onely x. perrnds of lawfull English money, but also all such costs and damages as the same Judges or Justices shall set downe, that the same partie hath sustained thereby, and withall xx. l. a peece for their offence to her Majestie. 43. Eliz. 6. 1. Jac. 25. To continue in force untill the end of the first Session of the next Parliament.

37 All the Sherifes of England shall have allowance upon their accompts by their Wathes, of things casuall, as of Offreates that sound not, nor run in terme, nor in demand, but of things that sound or run in yearely fermes, or yearely demands, they shall be charged against the King. as the Sherifes have bin charged in times past. 4 H. 5. 2.

38 All Sherifes shall have such Tails of reward, and other allowances, as they have heretofore had, and they shall be discharged upon their accompts in the Exchequer of such summes of money which they cannot leuie: And they shall have allowance for their charges and expences, which they sustaine by the Justices of Assise. Dief, and other meanes. And every Sherife by himselfe, his Atturney, or Deputy, shall be swozne at his day of prestition, when he shall answer before the Lord Treasurer, Barons, &c. to bring & deliver into the Exchequer, rolls of Parchment of all such particular summes of money which he hath, or might have leuied, making mention of what person, of what lands, and for what cause every of the said summes be leuied The Treasurer, Barons, &c. of the Exchequer shall atward out such Proces, Commissions, and other meanes, as they shall thinke good, for the leuying and recoverie of such Fermes, Accountiells, and other the Kings auncient rights and inheritances, now vniuersally withholden, and allow the Commissioners such charges, as they shall thinke mete. 2. & 3. Ed. 6. 4.

39 The Sherife of the Countie of Northumberland, before he receiue his Patent, or exercise his Office, shall put in sufficient Sureties by himselfe, or his deputy,

for & for executions within Cities or Townes corporate. Summoning or arresting without warrant.

Sherifes allowances.

Sherifes allowances.

Rolls in parchment.

Proces for the R. debt.

Sherife of Northumb.

Sherifes.

- tie, in the Exchequer, & enter into Recognisance in such summe, & vpon such conditions, as the L. Treasurer & Barons shall thinke meet, as all other Sherifes of this Realme do, vpon paine of 100*l.* of 100*l.* to the King. Such Sherife shall be accountable but for his owne time, & for the yeare of his Sherifewicke onely, & shall not be charged with any arerages due by any of his predecessors. 2. & 3. E. 6. 34.
- Bailifes of liberties.** 1. Euery Statute provided for Sherifes, shall extend to Bailifes of Liberties. S. Franchises 1.
- Redisseisin.** 2. For the Sherifes duetie in executing the writ of Redisseisin. S. Redisseisin. 2. 3.
- Repleuynge a distresse.** 3. For the Sherifes duetie in repleuynge of a distresse, and taking band for prosecuting the suit, and making of Returne. S. Repleuin 1. 3.
- Riots.** 4. For the Sherifes duetie in recording and certifying of Riots. S. Riots 1. 3.
- Returns.** 5. For the Returnes of Sherifes, and Bailifes of Liberties. S. Returnes of Sherifes.
- Estreats.** 6. The Sherife must shew to the partie indebted, the Estreats sealed, and vpon the payment To the same. S. Estreats 1.
- Amerciaments.** 7. Amerciaments for insufficient Returnes by Stewards, or Bailifes of liberties, shall be set vpon their heads, and not vpon the Sherifes. S. Franchises 3.
- Attorney.** 8. No Vndersherifes, Sherifes Clerkes, Receiuer, or Bailifes, shall be Attorney. S. Attorney 9.
- Counterfeiting weights.** 9. Sherifes may inquire of counterfeiters of false Weights, and punish them. S. Weights 13.
- A womans writ.** 10. What a Sherife shall forfeit which doth not execute a writ to him directed at the suit of a Woman, which is enforced to be bound by Obligation or statute. S. Women 15.
- A debtoz.** 11. The Sherife shall discharge his distresse, which can find him suertie to gree for the thing in demaund, and shall acquit the Kings debtor of that which he hath receiued. S. Accompt &c. 52.
- Disseisin.** 12. How the Sherife shall be punished, which by the colour of his office doth disseise any man. S. Assise 4.
- Array assises.** 13. In what time a Sherife shall array Assises, and deliuer the Copies. S. Assise 8.
- Escape.** 14. What the Sherife shall forfeit, which doth suffer an Escape, or doth take any thing for an Escape. S. Escape 1. 2.
- Hawkes.** 15. How the Sherife shall vse a Hawke which is found, taken vp, and brought vnto him. S. Hawkes 2.
- Wailing an offender.** 16. For the punishment of the Sherife which letteth one go, which is not repleuisable. S. Mainprise 3.
- Knights of the parliamet.** 17. For all the Sherifes duetie about the electing & returning of Knights of the Parliament, Burgesses of the Parliament, and leuying of their wages. S. Parliament 4. 5. 8. 12.
- Stoned horses.** 18. Euery Sherife shall enquire of defaults in not keeping of Stoned Horses, & certifie the same into the Exchequer. S. Horses 12.
- Inquire of wast.** 19. In what case and maner the Sherife vpon precepts shall go to inquire of wast. S. Wast 7.
- Forcible entries.** 20. The Sherife shall attend vpon a Iustice of Peace, to arrest those which make any forcible entries. S. Force 4.
- Returning Jurors.** 21. What Iurors, & of what sufficiencie the Sherife in seuerall cases shall returne, and vpon what paine. S. Iurors 12. 13. 14. 16. 19. 20.
- Purueyours.** 22. In what maner the Sherife shall make purueyance for the Kings Horses and Doggs wth his Countie. S. Purueyours 10.

23 By whom the Sherifes in Wales shall be appoinred, their authority, accompt, courts, fees, &c. S. Wales 36. &c.

Wales.

24 Amerciaments of Sherifes for insufficient returns. S. Returns 11.

Returns.

25 Sherifes shall execute such proces which shall come to them from Iustices of Peace, touching annoyauce of Bridges. S. Bridges 8.

Silke.

No person shall bring, or cause to be brought into this Realme of England to be sold, any Silke wrought by it selfe, or with any other stufte in any place out of this Realme, in ribbands, laces, girdles, coxses, canles, coxses of tissues, or points, vpon paine to for. to the R. and any of his subiects that will seise the same (the which to do, it shalbe lawfull to euerie of the R. subiects) all the same ribbands, laces, &c. in whose hands soeuer they be found, or the value of the same. But it shall be lawfull to euery person, as well strangers as other, to bring into this Realme all other manner of silkes, as well wrought, as raw, or unwrought, to sell at his pleasure. And it shal be lawfull to all persons that haue any such ribbands, laces, girdles, canles, coxses of tissues, or points wrought beyond the Sea, brought into this land by the R. licence, and to be sold, to make sale of the same. 19. H. 7. 21.

These things wrought of silke may not be brought into England.

Sope Vessels.

Euery Sopemaker putting to sale Sope, shall cause an emptie Barrell to containe xxxij. gallons, or above, & not to be in weight about xxvj. pounds, A halfe barrell emptie not to weigh about xij. pounds, & to containe xvj. gallons, or above, An emptie fikin not to weigh about vj. pounds & a halfe, and to containe viij. gallons or above of full and iust measure, vpon paine to for. for euery vessell contrarie iij. s. iij. d. to the R. and R. to be recouered by A. B. P. J. wherein no W. C. P. or J. &c. 23. H. 8. 4. S. Cowpers 1. Iust. of Peace 79.

Spicerie, Spiceries.

All Spices, wares, drugges, and other Archandizes garbleable, viz. pepper, cloves, mace, nutmegs, cynamon, ginger, long pepper, wormesseedes, cumminseedes, Anniseedes, Colianderseedes, Synny pepper, almonds, dates, galls, gummes of all sorts & kinds garbleable, spikenard, galingall, turmerick, fetwell, Cassia fistula, ginnie pepper, fenie, barberries, rice, erius, stauesaker, calamus, fenicricke, Cassia, lignum, graines, carrawayseedes, and all other spices, drugges, wares, and other Archandizes that haue bin vsually garbled, cleansed, seuered, sorted, or diuided in the Citie of London, and the liberties thereof, shall for the first vsually allowed in that behalfe, be sufficiently cleansed, seuered, garbled, and diuided, and after sealed by the garbler, thereunto appointed for the time being, or by his sufficient deputie or deputies, seruant, or seruants, before that the same or any part thereof shall be sold, vpon paine of for. of all & euery such spices, drugges, wares, and other Archandizes, or the value thereof, which shalbe sold. 1. Jac. 19.

Spices shall be garbled & sealed.

2 If any of the said spices, drugges, wares, & other Archandizes shalbe mixed with any garbles, matter, or thing whatsoeuer, after such time as the same shall be first garbled, seperated. or diuided by the garbler thereunto appointed, or by his sufficient deputie or deputies, seruant or seruants, and sealed as aforesaid: When the said spices, drugges, wares, and other Archandizes, or the value thereof shall be wholly forfeited. 1. Jac. 19.

Spices mixed after the garbling thereof.

3 It shall and may be lawfull to and for the said garbler of spices, drugges, and

pepper

marchan

Spicerie, Spices. Statutes and Recognisances.

merchandizes within the said city of London and liberties thereof for the time being, & to and for his deputie & deputies, assigne or assignes, by vertue of this act, at all and euerie time & times, in the day time to enter into any shops, warehouses, or cellars within the said city or liberties thereof, wherein any such drugs, spices, wares, or merchandizes bought or sold, or mixed, contrary to the true meaning hereof, which haue bin accustomed to be garbled, shalbe, or shalbe suspected to be, and there to view, see, and search the same. And if he or they shall find any such spices, drugs, wares, or merchandizes there vngarbled, which haue bin accustomed to be garbled: then and so often it shalbe lawful to and for the said garbler, and his deputie, or deputies, assigne, or assignes, to garble, or cause his or their seruants to garble and make cleane the same. The one moitie of all forfeitures in this act mentioned shalbe to the R. his heires and successours, and the other moitie to him or them that will sue for the same by A. of debt, B. P. or J. in any Court of Record within England, wherein no C. P. M. P. or J. shalbe allowed. 1. Jac. 19.

Spices
brought in,
& after trans-
ported vngarbled.

4 If any Merchant, or any person or persons (other then Merchants Alien, or made, or to be made denizen) shall bring any spices, drugs, or other merchandizes that be garbleable within this Realme, and shall not offer the same to sale, or sell the same within the Realme, but shall bona fide, and without fraud or couin reserve or retaine the same vnsold, to be transported out of the realm, and shall transport the same within 8. moneths, to be accounted from his first landing or arrival with such spices, drugges, or other merchandizes garbleable, by the provision and intention of this Act: for such spices &c. so to be transported vngarbled and not sold within this realme, no penaltie mentioned in this statute shalbe forfeited or incurred by any person or persons (other then merchants, alien, or denizen as aforesaid.) 1. Jac. 19.

Statutes and Recognisances.

Statute
Merchant.

The seal of
the Statute.

The debtors
imprisoned.

Euerie Merchant that will be sure of his debt, shall cause his debtors to come before the Mayor of London, Poppe, or Bishopp, or before some chiefe Warden of one of these, or some other good towne thereunto assigned by the King, & before the Mayor, chiefe Warden, or other sufficient men chosen and sworne thereunto, when the Mayor or chiefe Warden cannot attend, & before one of the Clerkes thereunto by the R. assigned, when both cannot attend, & to acknowledge the debt, & the day of payment. And the Recognisance shall be inrolled by the hand of one of the Clerkes which shall be knowne, and the roule shall be double, whereof one part shall remaine with the Mayor or chiefe Warden, and the other with the said Clerke. And one of the Clerkes with his owne hand shall write the Obligation, to which writing the debtors Seale shall be put with the Kings seale to that use provided, the which seale shall be of two pieces, whereof the great piece shall remaine with the Mayor, or chiefe Warden, and the other in the custodie of the foresaid Clerkes. And if the debtors doe not pay the debt at the day to him assigned, the Merchant shall come to the Mayor and Clerke with his writing obligatorie. And if it be found by the roll or writing, that the debt was knowledged, and the day of payment expired, the Mayor or chiefe Wardens shall cause the bodie of the debtors to be apprehended (if he be a lay man) whensoever he cometh within his iurisdiction, & committed to the prison of the same towne (if their be a prison) and there he shall remaine at his owne costs, untill he hath agreed for the debt. And the keeper of the towne prison shall receive him by the deliuerance of the Mayor or chiefe Warden, and if he shall not receive him, the keeper of the prison shall immediately answer the debt, if he haue wherewith, but if he haue not wherewith, he shall answer the debt which committed the keeping of the prison unto him.

him. And if the debtoꝝ cannot be found within the power of the Bayoꝝ, oꝝ chiefe Warden: When the Bayoꝝ oꝝ chiefe Warden shall send the Recognisance of the debt under the Kings soꝛesaid scale unto the Chauncerie, from whence shall be directed a writ to the Sherife, within whose Bailiwike the debtoꝝ may be found, that he shall take his bodie (if he be a lay man) and keepe him in safe prison, untill he hath agreed foꝝ the debt, and within a quarter of a yeare after he is taken, he shall haue his lands, & goods deliuered vnto him, so that with them he may liue and pay his debt, and it is lawfull foꝝ him within this quarter, to sell his lands and tenements to discharge his debt, and his sale shall be good. But if he doe not agree within the quarter, after the quarter of a yeare expyred, all the goods and lands of the debtoꝝ shall be deliuered to the Marchant by a reasonable exteꝛt, to hold vntill the debt be fully leuied, and neuer thelesse the bodie shall remaine in prison, and the Marchant shall find him bread and water. And if they which doe praise the moueable goods, which are to be deliuered to the creditoꝝ, doe praise them at too high a price in fauour of the debtoꝝ, and to the dammages of the Creditoꝝ, the thing prayed shall be deliuered to them foꝝ the price which they haue set, & they shall immediatly answer the Creditoꝝ his debt. But if the Debtoꝝ will say, that the moueable goods were sold oꝝ deliuered foꝝ lesse then they were worth, thereof he shall haue a remedie, foꝝ that the goods were lawfully sold to him that would offer most foꝝ the same, foꝝ he may reckon it his owne folly, which might haue sold his goods befoꝛe the suit commenced, and leuied the money with his owne hands, and would not. And the Marchant shall haue in the land so deliuered to him, such seisin, that he may thereupon bring an Assise of Nouel disseisin, if he be put out, and a Redisseisin also, as of his freehold, to hold to him and to his assignes, vntill the debt be paid, and after the debt be leuied and paid, the body of the debtoꝝ shall be deliuered with his lands. And in the writs which shall be directed out of the Chauncerie, mention shall be made that the Sherife shall certifie the Iustices of the one Bench, oꝝ the other, at a certaine day, how he hath performed the Kings commaundement, at which day the Marchant shall sue befoꝛe the Iustices, if he be not satisfied. And if the Sherife returne no writ, oꝝ returne that the writ came too late, oꝝ that he hath sent to the Baylives of franchises (then the Iustices shall doe according as is contained in the statute of Westm 2.) And if the Sherife returne that the Debtoꝝ is not found, oꝝ is a Clerke, then the Marchant shall haue writs to all the Sherifes to whom he hath land, that they shall deliuer all the cattels and tenements of the debtoꝝ, by a reasonable exteꝛt, to hold to him and his assignes, in soꝛme afoꝛesaid: And neuer thelesse, he shall haue a writ to what Sherife he will, to take his bodie (if he be Lay) and to hold it in soꝛme afoꝛesaid. And the keeper of the prison must keepe him safely, foꝝ he shall answer the body, oꝝ the debt. And after the debtoꝝs lands be deliuered vnto the Marchant, the debtoꝝ may well sell his lands, so that the Marchant receiue no dammage by the approuement. And the Marchants shall haue all their necessary dammages & costs in trauell, suit, delay, and expences allowed vnto them, & if he be a Marchant stranger, he shall remaine at the costs of the debtoꝝ, so long tyme as he tarrieth about the suit of his debt, and vntill the goods of the debtoꝝ be sold, oꝝ deliuered vnto him. And if the debtoꝝ be found pledges oꝝ suerties after the day passed, the suerties shall be vsed in all respects, as is afoꝛesaid of the principall debtoꝝ, concerning taking of their bodies, deliuering of their lands and other things. So: so long as the debt may be fully leuied of the moueable goods of the debtoꝝ, the suerties shall receiue no losse. And when the debtoꝝs lands shall be deliuered to the Marchant, he shall haue seisin of all the lands which were in the debtoꝝs hands the day of the Recognisance knowledged, into whose hands soeuer they doe after come, either by feoffment, oꝝ other manner. And after the debt paid, the land, and the issues of the land of those which be debtoꝝs by feoffment

The Stat. certified in- to the Chauncerie,

Execution of the debtoꝝs lands and goods.

The goods extended deliuered to the Baylives.

A remedie foꝝ tenant by stat. Marchant being put out.

S. Returne of Sherifes 3.

The debtoꝝ not found, oꝝ a Clerke.

The Keeper must answer the body, oꝝ the debt.

The Comtee shall haue his costs and expences.

Suerties.

Of what lands the Comtee shall haue execution.

Statutes and Recognisances.

No execution
of an Infants
lands.
The penaltie
of the Statute
read before
the debtoꝝ.
Statutes in
Cheſter.

ment, ſhall aſwell returne againe to the ſeoffers, as the other lands to the ſeoff-
foꝝs. And if the debtoꝝ, oꝝ his ſuerties die, the Parſchant cannot take the body
of his heire, but ſhall haue his lands in ſozme afoꝛeſaid, if he be of full age, oꝝ when
he ſhall be of full age, vntill he haue leuied ſo much as his debt amounteth vnto.
Beſoze the Recognisances ſhalbe inrolled, the penaltie of this Statute ſhalbe openly
read befoꝛe the Debtoꝝ, ſo that he ſhall not after excuſe himſelfe by ignorance of the
paine whereunto he bound himſelfe, and the King ſhall haue in euery Towne
where the Seale is to maintaine the coſts of the Clerke $\frac{1}{8}$. of euery pound. Aſon
Burnell $11.E.1. de Mercatoribus. 13.Edw.1.$ And all Recognisances of Statute
Parſchant, and Aſon Burnell, which ſhall be knowledged, inrolled, & ſealed with
the Seale appointed to the Citie of Cheſter, befoꝛe the Paioꝝ of the ſame Citie, in
like maner as the Paioꝝs, and other Officers in the ſaid Citie haue accuſtomed to
take, inroule, and ſeale, ſhall be good and effectuell in the Law. $2.E.6.31.$

Clerke of the
Statute ſhall
haue ſufficiẽt,
& dwell vpon
his office.

2 Every Clerke which ſhall be deputed to receiue Recognisances in Cities and
Boroughes, according to the Statute Parſchant, ſhall abide in proper perſon to doe
his office, and ſhall haue lands ſufficient in the ſame Countie, whereof he may an-
ſwere all perſons if he offend, and if there be any other in ſuch an office, he ſhall be
remoued, and an other moze meet be ſet in his place. $14.E.3.11.$

Execution as
ſwarde vpon
a Statute once
ſhewed in
Court.

3 Where a Statute Parſchant is certified into the Chauncerie, and thereupon a
writ alwarded to the Sheriffe, and returned into the Common Place, & the Statute
thereon ſhewed, howſoever the proces after this ſhewing be diſcontinued, at what
time the partie ſueth to recontinue the proces, and to haue execution of the Statute
Parſchant, the Juſtices of the Bench in which the Statute was once ſhewed, may
vpon the ſame Record alward & make full execution of the ſaid Statute, without ha-
ving any other ſight thereof after. Anno $5.H.4.12.$

Statute
Staple.

4 To the intent that Contracts made within the Staple, ſhall be the better hol-
den, & payments readily made, euery Paioꝝ of the Staple hath authoritie to take
Recognisances of debts that a man will knowledg before him in the preſence of
the Conſtables of the Staple, oꝝ one of them. And in euerie Staple there ſhall be a
Seale remaining in the cuſtodie of the ſaid Paioꝝ, vnder the ſeales of the ſame
Conſtables. And all Obligations which ſhall be made vpon ſuch Recognisances,
ſhall be ſealed with the ſame Seale, paying foꝛ euery Obligation of $100.l.$ and vn-
der, of euery pound a halfe penie, and of euery Obligation aboue $100.l.$ of euerie
pound a farthing. And the Paioꝝ of the Staple, by vertue of the ſame writing ob-
ligatorie ſo ſealed, may take and hold in priſon the bodies of the Debtoꝝs after the
terme incurred, if they be found within the Staple, vntill they haue agreed with the
Creditoꝝ foꝛ his debt & damages, and alſo arreſt the goods of the ſaid debtoꝝs found
within the ſaid Staple, & deliuer the ſaid goods to the ſaid creditoꝝs, according to the
very value, oꝝ ſell them at the beſt he may, & deliuer ſo much thereof to the Credi-
toꝝs, as the ſumme due. And if the Debtoꝝs cannot be found within the Staple,
noꝝ their goods to the value of the debt, that ſhalbe certified into the Chauncerie vn-
der the ſaid Seale: Vpon which Certificate, a writ ſhall be directed, to take the bo-
dies of the ſaid debtoꝝs, without letting them to baile, and to ſeiſe their lands, tene-
ments, goods, & chattels. And the writs ſhall be returned into the Chauncery, with
a Certificat of the value of the ſaid lands, tenements, goods, & chattels, & thereupon
due execution ſhall be made from day to day, in maner as is contained in the Sta-
tute Parſchant, ſo that he to whom the debt is due, ſhall haue an eſtate of Franchiſe
in the lands & tenements, which ſhall be deliuered vnto him by vertue of this pro-
ceſſe, and ſhall recover by Aſſiſe of Novel diſſeiſin, if he be put out. But the Deb-
toꝝ ſhall haue no advantage of the Quarter of a yeare which is contained in the
Statute Parſchant. But if the Creditoꝝ will haue no letters vnder the ſaid Seale,
but will ſtand to the ſaith of the Debtoꝝ, if after the terme incurred, he demaund
his

Execution of
the bodies and
goods of the
Debtoꝝs.

The Statute
certified into
the Chaun-
cery.

his debt, the debtors shall be credited upon his faith. 27. Ed. 3. 9. And if any Payor of the Staple, do receiue any recognisance of debt against the forme aforesaid, he shall pay to the B. one halfe of the summe knowledged before him. 15. R. 2. 9. S. 14

5 The chiefe Justice of the Kings Bench, and the chiefe Just. of the Common Pleas, and euery of them by himselfe, and in their absence out of the Seeme, the Payor of the Staple at West. and the Recorder of the Citie of London for the time being, ioyntly together by his or their discretion, haue authoritie to take Recognizances or knowledges of euery of the Du. subjects for the payment of debts, according to such forme as hereafter ensueth.

Recognisance
in nature of
the Bar, Staple.

6 Nouerint vniuersi per presentes me A. B. & C. D. Armig^r, teneri & fermiter obligari Ioh. ac Stile in centum lib^r sterling^r, soluendis eidem Iohanni aut suo certo Attornato hoc scriptu ostendent hered^r vel executoribus suis in tal^r fest. &c. prox^r futur^r post datum presentiu. Et si defecero vel defecerim in solutione debiti p^rdicti, volo & concedo: *vel sic*, volumus & concedimus, q^{uod} tunc currat super me, hered^r & executoribus meos: *vel*, super nos & quemlibet nostru, hered^r & executores nost^r, poena in Statut^r Stapular^r de deb^rit pro merchandis in ead^e emptis recuperand^r ordinat^r & prouisa. Dat^r tali die, Aⁿ regni &c. 23. H. 8. 6.

The forme of
the recogni-
zance.

7 And euery Obligation that shall be made, as is aforesaid, and knowledged before any of the said chiefe Justices, or the said Payor and Recorder, according to this Act, shall be sealed with the seal of the partie or parties that shall recognise or knowledge the same, and also with the B. seal ordained for the same, and with the seal of one such of the said Justices, or with the seals of the said Payor and Recorder, and with his or their name or names subscribed, that so shall take the same recognisance or knowledge. And euery of the said two Just. and the Payor and Recorder shall haue the custodie of one such seal, by the King appointed, with one like print, scripture, and fashion, which shall seuerally remaine with them, to the intent aboue rehearsed. 23. H. 8. 6.

Sealing of a
recognisance.

8 An honest and discret person assigned by the King, or his sufficient deputie or deputies, shall make and write all such obligations as shall be knowledged and recognised by authoritie of this Act, and shall cause the same being knowledged and recognized in forme as is abouesaid, to be inrolled in two severall rolles indented, whereof one shall remaine with such of the said Justices, or with the said Payor and Recorder, that so shall take the same recognizance, and the other with the writer thereof, appointed for the same. And the said person appointed for making writing and inrolling of such obligations, or his sufficient deputie or deputies, shall be dwelling or abiding in the City of London, upon paine to forfeit for euerie time that he and his deputie shall be absent by the space of 4. dayes x. pounds, and the said person so appointed, or his sufficient deputie or deputies at the request of the credito^rs, their executo^rs, or administrato^rs, shall certifie such obligations, as shall be taken and recognised by authoritie of this Act, into the Chauncerie, under the seale of the person so appointed &c. 23. H. 8. 6.

Clerke of the
Statutes.

Certificat^r in-
to the Chaun-
cerie of the re-
cognizance.

9 Euery person and persons to whom any such Obligation shall be made, knowledged, and inrolled as is aforesaid, their executo^rs and administrato^rs, and the executo^rs and administrato^rs of euery of them, for default of payment of the debts contained in such Obligations, shall haue in euery point, degree, & condition against the said recognizo^rs & recognizo^rs, & euery of them, their heires, executo^rs, and administrato^rs, & the heires, executo^rs, and administrato^rs of euery of them, like proces, execution, commoditie, and aduantage in euery behalfe, as hath bene used and accustomed before this time to be had, done, or made, of and upon any obligation of the Statute of the Staple, and vnder such maner and forme as is for the same Statute of the Staple prouided, paying for such proces and execution to be had, such like fees as is accustomed for proces & execution to be had upon obliga-
tions

Execution
vpon a recog-
nizance.

Statutes and Recognisances.

Audita querela.

tions of the same statute of the Staple, and not above. 23. H. 8. 6.

10 Every such person & persons that shall be bounden, or otherwise grieved by vertue of any Obligation made by authoritie of this Act, shall haue their like remedie by Audita querela, & all other remedies in the law, that they might haue had, in case they had bin bounden by obligation of the Stat. of the Staple. 23. H. 8. 6.

The R. shall haue an ob. in the l. upon execution sued.

11 Euerie person that shall haue p^{ro}ces for execution to be had, by reason of any Obligation to be made and knowledged according to this Act, shall pay to the King &c. at the sealing of the said p^{ro}ces a halfe pennie for every pound, that shall be contained in the Obligation, whereof execution shall be required, & not above. 23. H. 8. 6.

The remedie for tenant by recognisance being dissised.

12 Every such person and persons that shall haue execution of any lands, tenements, or hereditaments, by reason of any such Obligation, made and knowledged, as is aforesaid, and their executors, administrators, or assignes, and the executors, administrators, and assignes, of euery of them (if they or any of them be put out or dissised) shall haue like remedie in euery condition, as persons hauing execution, in and vpon any statute of the Staple, after execution of them had, may, or might haue, by vertue of the said writing obligatorie of the Stat. of the Staple, and execution of the same. 23. H. 8. 6.

The Just. & Clerks for vpon euery recognisance.

13 Euerie of the said Iustices, and the said Shaoz and Recorder befoze whom any such Obligation shall be recognized, shall take for euery knowledg of euery one such recognisance, iij. s. iij. d. and not above. And the Clerke that shall write, make, and inroll the same, iij. s. iij. d. And for the certificat of euerie one such Obligation, ii. d. And if any of the said Iustices, Shaoz, Recorder, or Clerkes, take of any of the R. subiects above the summe or summes to them limited by this statute: When the said Iustices, Shaoz, Recorder, or Clerke, that shall take contrary to the forme aforesaid, shall for. for euery time so offending to the R. and J. p^l. to be recouered by A. J. &c. wherein no W. &c. C. P. &c. 23. H. 8. 6.

In what cases recognisances by Stat. Staple may be taken.

14 Shaoz & Constable of the Staple, for the payment of any summe of money, shall take any knowledge or recognisance of the said Statute of the Staple of any of the R. subiects, vpon paine to for. to the R. and J. for euery time so offending, p^l. to be recouered by A. J. &c. wherein no W. &c. C. P. &c. But this Act is not p^{re}judiciall to any Shaoz and Constables of the Staple, for any band or writing of the Statute of the Staple to be taken or receiued betwene Marchants being free of the same Staple, for marchandizes of the same Staple, betwene them lawfully bought and sold. 23. H. 8. 6.

The contents of Statutes shall be entred in the Clerks office.

15 The whole tenour and contents of all statutes marchants and statutes of the same Staple, hereafter to be knowledged, shall within six moneths next after such knowledging, be entered in the Office of the Clerke of Recognisances, taken according to the Statute made 23. H. 8. by the shewing sozth of the said Statute marchant or Statute Staple so knowledged, vnto the said Clerke, which said Clerke of the recognisance shall enter or cause to be entred the same Statutes, in a booke for that purpose to be provided, and safely kept by him, taking viij. d. and no moze for euery such entree. 27. Eliz. 4.

The Stat. not entred void against the purchaser of the lands liable to the same.

16 If the partie to whom any such Statute marchant, or of the Staple shall be knowledged, his executors or administrators, doe, or shall not within 3. moneths next after the knowledging of any such Statute, bring, and deliuer, or cause to be brought and deliuered vnto the said Clerke, or his deputie or deputies for the time being, all and euery such Statute and Statutes as shall be so knowledged to him, or to his vse, whereby, and to the intent, that the said clerke, his deputie, or deputies, may take & enter a true cōpy thereof: Then euerie such Statute marchant and of the Staple not so entred shalbe void, frustrate, and of none effect, against all & euery such person and persons, bodies politike and corporat, their heirs, successors, executors, administrators,

administratoꝝ, & assigns onely, as shall after the knowledging of the said Stat, oꝝ any of them, purchase foꝝ money oꝝ other good consideration, the lands, tencments, oꝝ hereditaments, which were liable to the same Statute marchant, oꝝ of the staple, oꝝ any part oꝝ parcell thereof, oꝝ any rent, lease, oꝝ pꝛofite, of, oꝝ out of the same. 27. Eliz. 4.

17 If the said clerke, oꝝ his deputie oꝝ deputies foꝝ the same being, shall not vpon such shewing & deliuerie vnto him oꝝ them of any Statute marchant, oꝝ of the staple, enter, oꝝ cause to be entred the same in his said booke, within the said time of 6. monethes, & also endozce vpon euery such Statute so by him entred, the day and yeare of his said entrie, with his oꝝ theire owne name: Then euery such clerke sayling, oꝝ defectiue in that behalfe, shall foꝝf. & lose foꝝ euery Statute marchant and of the staple so bꝛought vnto him oꝝ them, & not entred & endozced, oꝝ caused to be entred & endozced as afozelsaid, the summe of xx. l. The one moitie whereof to be to the Quenes Maiestie, her heires, oꝝ successoꝝ, and the other moitie to him oꝝ them that will sue foꝝ the same in any of the Q. Courts of Record, by A. of debt, B. P. oꝝ J. wherein no C. P. oꝝ W. 27. Eliz. 4.

The Clerke not entering oꝝ endozcing a Statute bꝛought vnto him.

18 No Clerke of the said Recognisances shall oꝝ may take, foꝝ, oꝝ in respect of any search to be made, foꝝ, oꝝ concerning any Statute marchant, oꝝ of the staple, so to be entred, as afozelsaid, aboue y. d. foꝝ one yeares search, and so after the rate of y. d. foꝝ euery yeare, and not aboue, vpon paine to foꝝfeit and lose to the partie oꝝ parties grieved thereby, twentie times as much as he shall take contrarie to the true meaning of this Act, to be recovered in any of the Q. Maiesties Courts of Record, by A. of debt, B. P. oꝝ J. wherein no P. oꝝ W. of law shall be allotted. 27. Eliz. 4. 39. Eliz. 18.

Clerke of the recognisances take foꝝ search.

1 In what maner execution shall be made of lands in Wales, vpon a statute or Recognisance. S. Wales 67.

2 No Statute or Recognisance shall bee auoided by a fained Recouerie. S. Recoueries 9.

3 He which sueth to defeat execution vpon a statute, shall find suertie to the K. and the partie. S. Corpus cum causa 2.

4 Oblations taken in the Court of wards, shall be of the same strength as a statute staple. S. Wards 27.

5 Oblations made to the King, shall be of the same strength, as a statute staple. S. Accompt. to & c. 1.

6 Oblations taken of Ecclesiasticall persons for their first fruits, be of the same strength as a statute staple. S. Ecclesiasticall & c. 25.

7 A remedie for the Conisee where lands taken by him in execution be recovered. S. Execution 3.

8 The lands of certaine Amcoptants to the King shall be liable to the payment of their arrerages, & be put in execution, as if they were bound in statute staple. S. Accompt. & c. 29.

9 The force of Recognisances taken before the Maior and Constables of the staple beyond the sea. S. 10. H. 6. 1.

Steele.

If any person do foꝝge oꝝ make any gads of Pꝛon, called Bilbow Pꝛon, like to the fashion and maner of gads of Steele, oꝝ doe vtter oꝝ put to sale any such gads of any Pꝛon, he shall foꝝfeit foꝝ euery gad so foꝝged, vttered, oꝝ put to sale, foure pence to the K. and J. to be recovered by A. B. P. J. & c. wherein no W. & c. P. & c. 2. E. 6. 27.

Stealing,